

THE CALCUTTA JOURNAL,

OF

Politics and General Literature.

VOL. V.]

FRIDAY, SEPTEMBER 14, 1821.

[No. 246.]

SUMMARY OF NEWS.

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Politics of Europe.

It has been a source of pleasantry of late with some Public Prints, to descant on Neapolitan cowardice: one says, that rebels lack moral energy, that their valor consists only in empty boasting, and that the tie which unites them is weak and unsound; another, that the Neapolitans are deserving of their fate, as a punishment for their cowardice; and a third, that they are unworthy of any sympathy or pity. Besides that it is ungenerous to insult the unfortunate, the result of the Austrian Invasion ought never for a moment to be considered as a justification of it. If such a principle of reasoning be once admitted, all ideas of natural justice are at an end, and no standard of right and wrong remains, but that of brute force. It is true, that trial by single combat formerly prevailed in Europe; and nine modes of trial by ordeal, all sufficiently absurd, were sanctioned by the Hindoo Laws: but such institutions are now justly regarded as fit only for barbarians. Yet what better are we, if we admit the justice of deciding the affairs of nations by such tests? No one would expose his understanding to ridicule by asserting that the bravest soldier, the strongest man, or the best marksman, must be always in the right: with as little justice can it be surmised that the Neapolitans, because they yielded without resistance to the Austrians, must be in the wrong. Some have affected to discover a relation between rebellion and cowardice; we on the contrary think that the latter is more nearly connected with tyranny. Those who are subjected to despotic power, where, as Montesquien observes, the only motive of action is fear, gradually lose every spark of the spirit of freedom, and become fit only for the condition of slaves. It is thus only that we can account for the degeneracy of the descendants of the Romans. Rome, while she retained her freedom, though reduced to the last extremity, rose again from her ashes, through the invincible bravery of her sons; but the spirit of that gallant people was at last so broken by long submission to a military despotism, that, like the present Italians they became an easy prey to the invader. To what can we attribute the moral superiority of England but to her free constitution? To this also the Americans owed their success; they had been nursed in the spirit of Liberty by England, and that spirit enabled them to combat England herself. The Allies could not conquer the French Republic with their most strenuous efforts; they however were a match for the military despotism of Buonaparte. In short, innumerable instances might be adduced to show that slavery and not rebellion is the chief cause of cowardice.

Whatever might have been the conduct of the Neapolitans, it may readily be admitted that the ultimate result would probably have been the same. For however the friends of Liberty might flatter themselves to the contrary, Naples could hardly have resisted the combined strength of Russia and Austria. And however much it might have been to the honor of the national character for twenty or thirty thousand to have sacrificed themselves for the independence of their country, the chains of the survivors would not have been the lighter. Indeed the difficulty and expence of the conquest might have occasioned an additional claim for indemnification, so that the Neapolitans may perhaps excuse themselves by arguments similar to those used on another occasion: since Naples must fall, 'tis better that it should fall without a waste of human blood unprofitably shed.

The insolence and cruelty exercised towards the Neapolitans by the Austrian Authorities now ruling them with an iron rod, gives a striking picture of the kind of Governments set up by the Holy Allies. By a Letter from Naples, given in *John Bull*, it appears that troops with police officers at their head, parade the streets of Naples, day and night, and search the persons of suspicious-looking individuals for concealed arms. The discovery of a large knife is punished by flogging, and the possession of any more formal instrument of offence or defence is visited with death! The adoption of such measures sufficiently exposes the hollow pretence that the Revolution was the work of "a few individuals of an obscure sect," in which the nation did not concur. It is said that during the existence of the Constitution the greatest part of the nation became Carbonari. On the 1st of May, three of that sect were flogged in the great street of Toledo, the principal street of Naples, with the insignia of their order upon them. It is insolently added that AS IT WOULD BE IMPOSSIBLE TO FLOG A WHOLE NATION, the Police select only the inveterate *capi de vendui*, or heads of lodges. So that instead of a "few individuals," it is thought advisable, if the thing were practicable, to flog the whole nation. These instruments of the Holy Alliance may naturally be supposed to indulge a desire similar to that of the Roman Tyrant, who wished that the people of Rome had had but one neck, in order that he might strike off the head it bore at one blow. The crowds assembled to witness these flogging scenes in the streets of Naples are not allowed, it is said, to express any sympathy with the sufferers. At one of those exhibitions, some old women, whose feelings were stronger than their prudence, screamed aloud, when the lash was applied with more severity than they had been accustomed to witness. They were taken into custody for it, by the Police, and, says the writer, "they will be flogged themselves." Women, belonging to the female lodges, called *giardinere*, or gardeners, of which there were a considerable number at Naples, are flogged in the same manner as the Carbonari.

In our Paper of yesterday and to day are pretty full accounts of the atrocious proceedings at Manchester, which called forth an expression of Royal "satisfaction" and approbation (at least such was put in the mouth of the Regent); here we have a specimen of the chastisement inflicted by the Austrians, and the paternal Ferdinand, on the Neapolitans. After this, the People may well pray that they may never experience the tender mercy of Kings! The English are indeed dragooned out of their rights by a portion of their own countrymen, who care only for themselves; and whose acts, however illegal, however atrocious and disgraceful, are approved by the Prince (at least the Ministers have so used his name), and sanctioned by a Ministerial Majority in Parliament. The Neapolitans have still greater cause of complaint: a foreign Power, to whom they owe no allegiance, invades their territory, and because they had ventured to alter their constitution, flogs them like so many revolted slaves. It is really monstrous that a few unprincipled Despots, who as private individuals would be a disgrace to their acquaintance, should presume to call themselves a Holy Alliance, and be allowed to treat the nations of Europe as their vassals, subject to whatever arbitrary Law they choose to promulgate, and liable to be shot or flogged as mutinous slaves, if they dare to disobey them. In vain do Britons boast of the abolition of the African Slave Trade, if they allow Europe to be made a great Slave-mart, subject to the capricious and arbitrary controul of a few Royal Slave Holders, who are leagued together to prevent any attempt at emancipation.

The Letter from Naples which is dated on the 1st of May, is worth printing at length; and will shew the "Quidnuncs of the East," whether those whom the *Government Gazette* of yesterday calls the "Quidnuncs of the West," are right or wrong in looking upon the Holy Allies as Conspirators against the liberties of Europe. If a few Pindarrie Chieftains were to enter Calcutta with their hordes, and after removing the Governor General to the Holy City of Benares, as the King of Naples has been sent to Rome, and dispersing the Secretaries and Members of Council, as the Revolutionary Parliament were said to be dispersed at Naples, were then to proceed to flog round the Tank Square all the males and females who thought the Government they had dispersed much better than the one they wished to establish in its stead, we should relish it very badly no doubt; and yet, unless we imagine that the Members of the late Government and the Females of Naples have less tender backs, and could bear cutting up and having their flesh furrowed to the bone better than the Civil Servants and their Ladies in Calcutta, we must admit that the cases are quite parallel, as far as the cruelty of such an act is concerned. Those among us, who could turn round to lick the feet of the *new* Governor, and sing to his praise the hymns written for the one he had displaced, might fare well enough, and turn master-floggers in their zeal to serve the Ruling Power for the time being, and to preserve the stability of Social Order and our Holy Religion; but what would true and undegenerate English hearts say to this flogging of our wives and relatives, because they were "*thought dangerous*?" and if the grim Despot who held the lash were in such numbers as to render all hope of resistance vain, what should we say, if those, calling themselves free-men, in other countries, scoffed at our miseries and sufferings, and said that we deserved all the tortures inflicted on us, *because* we were unable to oppose or avoid it? And yet this is what some base tools of party have done in London, either for hire or for place, and what still baser spirits have followed here, where hire and place are not likely to be their hope or their reward, so that sheer exultation over the sufferings of others must be the only feeling in which they have indulged.

In reading the Letter from Naples, let the Reader substitute Calcutta for Naples, Christians for Carbonari, Pindarries for Austrians, and the Tank-Square for the Street of Toledo, and he will then be able to judge rightly of the abominable cruelty of such proceedings.—The Letter is as follows:—

Naples, May 1, 1821.—The police and tribunals are very active here in disarming and punishing those who are thought dangerous, and putting down the sect of Carbonari. Parties of Neapolitan or Austrian troops, with police-officers at their head, parade the streets during the day and night, and search the persons of suspicious-looking individuals for concealed arms. The discovery of a large knife is a flogging; the possession of any more formal instrument of offence or defence, death. I have seen more of these *personal scrutinies* to-day than on any former day. We had likewise to day a curious exhibition of Carbonari insignia, and Carbonari martyrdom. Three of the chiefs of the sect were flogged in the street of Toledo, the great street of Naples, with the ensigns of their order upon them. The greatest part of the nation were made Carbonari during the time when the Constitution was in vogue: but as it would be impossible to flog a whole nation, the Police select only the inveterate *capi de venditi*, or heads of lodges, for undergoing the trial of their principles. Great crowds were yesterday collected to witness this novel exhibition of Carbonarism; but no expression of sympathy on the part of the spectators was permitted. Some old women, however, whose feelings were stronger than their prudence, screamed aloud when the executioner applied the lash to the backs of the culprits with more vigour than they had been accustomed to witness. They were taken into a custody by the Police, as favourers of the sect, and will undergo a whipping themselves. To-morrow three women are to be flogged in the same manner as the Carbonari, for being members of female lodges. Of these lodges, there were a considerable number at Naples. They possessed nearly the ensigns and inculcated the principles of the male lodges, but went under the name of *giardiniere*, or garden women.

Three or four arrests took place to-day of persons of distinction, whose names I could not learn; two of them are Deputies. I saw one of them on his way to prison in a sedan chair, escorted by a commissary of police, and a guard of 20 Austrian soldiers. The King is expected here on the 15th instant. He certainly will not arrive before that time, but very likely may delay longer.

Edinburgh, May 12, 1821.—Our readers will observe, that some discussion has taken place in the House of Commons relative to the reported march of the Russian troops to the South of Europe. The Marquis of Londonderry has distinctly stated, that the march of the Russian troops had taken place in consequence of the joint invitation of the Emperor of Austria and the King of Sardinia; but that the almost instant suppression of the insurrection had rendered their assistance unnecessary, and that they were not now to pass their own frontier. This is so far well. But neither the cessation of the march of the Russians, nor Lord Londonderry's eulogium on the moderation and disinterestedness of the Board of Despots, can make us believe that they have abandoned the intention of availing themselves of the first favourable opportunity to dictate the form of government to be established in Spain. In our last, we endeavoured to shew, that consistently with their avowed principles, the Allies must be inimical to the Constitution of the Cortes. But supposing these inferences to be erroneous, can it be denied that the magnanimous Alexander has proclaimed to the whole world, his disapprobation of the Spanish revolution? This is not a subject respecting which it is necessary to apply to Ministers for additional information. There is no ambiguity in the declarations of the Holy Leaguers. And it is those only who think that Lord Londonderry is better acquainted with the intentions of the Russian Cabinet than the Emperor himself, who can presume to think that he is not an enemy to the Spanish Constitution. The following short statement will establish this beyond all doubt,

No sooner had the intelligence of the Spanish revolution reached Petersburg, than a Note was addressed by the Russian Cabinet to the Spanish Minister resident at that Court, in which the establishment of the Constitution is unequivocally declared "*to be an aggression that nothing could justify*;" and in which it is distinctly stated, that "*all Europe is about to speak in the same language to the Spanish Government*." Nor was this reckoned sufficient. The Declaration referred to was succeeded by a Circular Memorial, addressed by the Russian Cabinet to all its Ministers at foreign Courts, announcing the same sentiments in language still more offensive. Contrary to the evidence of the clearest facts, the Spanish revolution is affirmed to be one and the same with the French, and to have been brought about by "*the genius of evil*." It is stated, that, although "*Revolution had changed its ground, the duties of Monarches had not changed their nature*;" that in virtue of the treaties of 1818, the Emperor was bound "*to mark with his most forcible reprobation the revolutionary measures of Spain*;" and the Spanish nation is called upon to perform "*an expiatory sacrifice*" at the shrine of offended Legitimacy.

Such language cannot be either misunderstood or misinterpreted. The obstacles which the Confederacy of Despots would at present meet with in an attack on Spain, may indeed induce them to evince a hollow and reluctant acquiescence in the revolution. But, if either through the misconduct of the Spaniards themselves, or by any other means, these obstacles should be considerably diminished, who can doubt that the Allies would gladly pounce upon their prey?—that they would again establish the despotism of the rack and the inquisition? in a word, that they would do for Spain what they *have done* for Naples? So long as the majority of the Spanish nation remain firmly attached to the constitutional regime, they will, perhaps, be allowed quietly to perfect and consolidate their institutions. But, if they differ among themselves, or adopt a timid and vacillating policy, they may depend upon it the allies will interfere to subvert that constitution *they have already so strongly denounced*, and which they never omit an opportunity of traducing and vilifying.—*Scotsman*.

Friday, September 14, 1821.

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Imperial Parliament.

HOUSE OF COMMONS, WEDNESDAY, MAY 16, 1821.

ADJOURNED DEBATE ON THE MOTION FOR INQUIRY INTO THE MANCHESTER OUTRAGE.

Sir R. WILSON moved that the order of the day for the adjourned debate on the Manchester meeting should be then read.—It was read accordingly.

The SPEAKER having put the question, "That this house will resolve itself into a committee of the whole house to inquire into the transactions which took place at Manchester on the 16th of August, 1819,"

Sir R. WILSON rose. It was, he observed, perfectly consistent with the official duty of the hon. member who had spoken last but one on this subject—he meant his Majesty's Solicitor-General—to do the ministers all the service he could, by vindicating the magistrates and yeomanry from the heavy charges which had been brought against them. It was but natural with that learned gent.'s feelings, in the view which he took of the events of the 16th of August, and of those immediately preceding them, to describe the conduct of the magistrates as upon all occasions temperate and judicious, and that of the people as irregular and criminal—or, if not criminal, as very little short of it in intention. Notwithstanding his talent and his ingenuity, he had not succeeded in disguising from the view the hideous deformity of the Manchester massacre. It was unnecessary for him to analyze all the arguments which that learned gent. had used; it would be enough for him to show that sufficient grounds were pointed out to demand an inquiry. It was not necessary for him to refute all the statements of the other side; it would be enough for him to show that there were counter statements. At the same he could not help noticing the attempt which had been made to introduce into the discussion evidence which the other side had not dared to offer to a court of justice. The Solicitor-General had formerly told them that the best way of obtaining a fit decision upon the question would be by bringing all the evidence which bore upon it into the court of justice which was open and ready to receive it. The Solicitor-General now disdained to follow his own advice, and brought forward testimony which his employers had carefully withheld from the proper tribunals. Those employers on a former occasion had triumphantly taunted the friends of the people with being loth to enter the courts of justice, and had said that whenever they did so, the emptiness of their accusations was made apparent to the world. As a proof of their assertion they referred to the bills which had been tendered to, and rejected by, the grand jury of the county of Lancaster. The Solicitor-General had even said in distinct terms, "Surely no attempt will be made to impugn the grand jury of the county of Lancaster, of which so respectable an individual as my Lord Stanley is chairman." He certainly had no intention to impugn either the conduct or the character of that noble personage; on the contrary, there was not a man in the house to whose honour he should be more ready to intrust his fortune or his life. But he must observe, in the first place, that it was extremely hard to throw the responsibility of the grand jury upon that noble lord, as it did not follow that he approved of all its proceedings, though he formed a part of it. It was possible that the grand jury, without any criminal intention, might have taken an erroneous view of the law of the case. They might have supposed that the bills for murder could not be sustained against the yeomanry, because they had acted under the command of a superior authority. Indeed, something had fallen from the noble lord when he (Sir R. Wilson) had presented a petition to the house yesterday, that confirmed him in the idea that something of that nature had actually taken place. When the petitioner had offered to show the noble lord the wound which he had received, and the blood which had flowed upon his coat, the noble lord had declined to examine into that circumstantial evidence, because those appearances were not at all connected with the circumstances which had determined the grand jury to reject the bill. Now he (Sir R. Wilson) contended that, if the merits of that bill rested solely on the treatment received by the complaining party, the grand jury were bound to examine into those circumstances. Their refusing to do so convinced him that the grand jury had thrown it out more upon political than upon strictly legal views. Again: they had been asked, why, if the facts which they stated had occurred, and murder had been committed, why had no coroner's inquest given a verdict of murder against either the magistrates or yeomanry? The house, he was certain, would recollect that a majority of the persons who sat upon the inquest at Oldham had declared that, if they had been allowed to give in their verdict, they would have given a verdict of murder against the yeomanry. It was hard upon them to be told that they had not established their case, when the coroner had prevented a verdict from being in favour of it. Could any man believe that that officer, in so doing, had acted upon his own responsibility alone? Would he have dared to have adjourned the inquest to so late a period as he did, unless he had known that

he was to be shielded by ministerial influence? But then they were told that a civil action might have been brought by the injured parties, and that the question might thus have been determined. Gentlemen talked about these poor people going to law, as if law were a cheap article! What was the fact? A subscription had been opened to relieve the sufferers at Manchester, and also to obtain redress for their grievances; which subscription produced the sum of 3,498l. The law expenses for the conduct of the Oldham inquest amounted to 1,077l., and the trial at York cost 710l., without including any remuneration for Mr. Harmer, who acted gratuitously. The small remainder, therefore, was to be divided among the 620 sufferers on that memorable day. The honorable member for Newcastle-upon-Tyne (Mr. Wilmot) had observed, that if only one or two convictions had been obtained, there might have been some ground for the present motion; but if the parties injured had proceeded and had succeeded in a single case against the military or the magistrates, the answer would have been, "The Courts of law, you see are open to you, and the house never interferes in cases that can be remedied there." The honorable member then touched upon the law with regard to the dispersion of the meeting of the 16th August, admitting that the lowest parish officer might disturb any illegal assembly, but he must do so by legal means. No unnecessary violence or precipitation must be used; the law always required the exercise of a sound discretion, not only in magistrates, but in sheriffs and in every person placed in any degree of authority. In every case, whether the arrest of a criminal or otherwise, only the quantum of force required might be used and no more, under a responsibility for the consequences. The same discretion was required even in soldiers: they could not obey positive orders to do what was unlawful; but, above all, they ought to commit no act that might be construed into a wanton aggression on their fellow-citizens. He then vindicated the commission appointed by the committee in London to distribute the subscriptions for the sufferers at Manchester: he maintained that it was composed of men of the highest character and honour, who had acted with the utmost zeal and integrity. It had been said, he believed, by the hon. member for Dover, that they went to Manchester for the purpose of inflaming the public mind.

Mr. B. WILBRAHAM observed that he had made no such charge against the commissioners.

Sir R. WILSON had no doubt mistaken the hon. gent. from whom the accusation fell; but in opposition to it, he begged leave to read the instruction given to the commissioners by the committee in London, of which body he was one. It was this—"the committee particularly enjoin you to abstain from giving any opinion as to the culpability of any of the parties who inflicted on the sufferers their misfortunes," and it was added that the business of the commissioners was merely to ascertain the circumstances and claims of the individuals requiring relief. With regard to the documents read to the house by the hon. member for Dover, confirmed, as was said, by voluntary oaths, he (Sir R. Wilson) had caught among the names that of Burley; and he begged to ask what reliance could be placed on the assertion of one of the parties accused of having acted most unjustifiably in the course of the transactions? The statements that stones were seen in the air was equally incredible especially as it was directly contradicted by the best evidence, viz., that of the Rev. Mr. Stanley, to whose narrative an hon. gent. (Mr. Phillips) had last night referred, but perhaps without producing the impression it deserved. He (Sir R. Wilson), therefore, begged to call the attention of the house to a few passages in that narrative. It appeared that Mr. Stanley was in a room above the magistrates, and he spoke to the fact of a line of constables being established between the magistrates' house and the hustings. Even Mr. Hay, in one of his despatches, admitted this fact. A few minutes after Mr. Hunt arrived, there was a cry of "soldiers," and the yeomanry arrived at full gallop. The reverend gentleman then proceeded thus:—"For a few paces as they advanced their movement was not rapid, and it seemed to show an attempt to follow the officers in regular succession, five or six abreast; but they soon increased their speed, and with a zeal and ardour that might naturally be expected from men acting with a delegated power against a foe, by whom they had been long insulted with taunts of cowardice; they continued their course seeming individually to vie with each other who should be first." (hear, hear.) This at least showed the animus of the yeomanry. The rev. gentleman then went on to speak of the situation, and case of a woman who had been left in the field, and in whom he saw no signs of life. After describing the scene of terror and confusion that took place on the attack of the military, he added, "I saw nothing that gave me the idea of resistance, excepting on one or two spots where the people seemed disposed not to abandon their banners." Before the meeting he had seen no symptoms of disturbance, or of an intention to break the peace; but after the dispersion, the feelings of the people were entirely changed; then he heard the expressions "To-day you surprised us; but another day will come, and that shall be ours." The last paragraph in this statement to which the hon. member drew the attention of the house was the subsequent:—"I have heard that the cavalry was assailed, upon respectable authority, by stones thrown

during the short time they halted before their charge. What a person says he saw, must be true; but I saw nothing of the sort. though my eyes were fixed steadily on the yeomanry, and I think I must have seen any stone larger than a pebble; but I saw no missile weapon during the whole of the transaction." (*hear.*) The hon. member for Dover did not venture to say when the cavalry were attacked: if after the charge, it was a measure of justifiable self-defence; but he (Sir Robert Wilson) should always maintain that the populace had not done their duty as British citizens in not resisting the aggression of the military. With respect to the motion, the people of England called loudly for inquiry; all Europe had witnessed with astonishment that in this land, so jealous of the lives of its citizens, so jealous of the interference of the military, no investigation had yet taken place. (*hear, hear.*) The Solicitor General had kindly proposed to pass an act of oblivion over the whole transaction; ministers were willing to forget and forgive—to forget and forgive the offences of the 620 wounded and maimed wretches who had suffered beneath the sabre and the hoof on the 16th of August—to forget and forgive those had approached parliament with their complaints. This was indeed a climax of benevolence and generosity. (*hear, hear, hear.*) Was it possible to cover the whole with the veil of oblivion; The law of Moses, "a tooth for a tooth, and an eye for an eye," had been spoken of; but the hon. bart. (Sir F. Burdett) did not by his proposal require blood for blood but merely that inquiry should be made where the blame ought to rest. If it were rejected, it would be a decisive proof of the contempt in which ministers held public opinion—a memorable and scandalous proof of the degraded state to which the country was reduced, when such contempt was allowed to be evinced. He (Sir Robert Wilson) trusted that this house would not wed itself to the infamy of the last parliament by rejecting this motion: it had now an opportunity of restoring the government of the laws—of restoring confidence in the law if it neglected it, submission might be obtained; but it would be the submission of prudence and apprehension, not of affection and obedience.

Sir W. DE CRESPIGNY felt for the sufferers at Manchester; but he also felt for the British parliament, which, he hoped, would not go down to posterity with the stigma of having passed over this disgraceful and painful transaction without inquiry. The hon. baronet, after one or two prefatory remarks, proceeded to read a narrative of the events of the 16th of August, which he had obtained from an individual of the highest respectability who was present. It stated the communication between the hustings and the house of the magistrates, and maintained that the riot act was not read before the arrival of the military; but we did not hear it with sufficient distinctness to be able to give the particulars. We understood that the writer did not observe that the soldiers whom he saw used any actual violence; but they assumed that sort of threatening attitude which forced him back from the place where he saw them. He then went to a friend's house where he found a place of refuge. At the time he entered, the yeomanry were still in the street, harassing and pursuing the multitude of both sexes, to many of whom he assisted in extending the shelter of that refuge which he himself at the moment participated. From the house he particularly saw a trumpeter endeavouring to force his horse up a flight of steps and to cut at a person upon them. The same trumpeter beckoned to some soldiers to assist him; they came, with a person, apparently a constable, leading them, and went down an alley, where he lost sight of them. As he came out of the house he met a special constable whom he knew, and who informed him that he had just before narrowly escaped losing his head from a cut made at him by one of the yeomanry. With this special constable he went away, passed a few more soldiers in the street, but met no other molestation. The writer concluded by stating that the meeting had no appearance whatever of riot or tumult up to the moment of its dispersion. (*a cry of name the writer.*) He had no objection to name the writer: he was a gentleman in orders, who would, he had no doubt, if necessary, verify his statement at the bar of the house. His name was Robert Kimbush. He (Sir William) had been at Manchester a few days after the 16th of August, and had, from his inquiries, every reason to believe the statement in the narrative correct. (*hear.*)

Mr. TYNTE said that no man lamented more than he did the unfortunate affair which occurred at Manchester; but at the same time, he felt it due to the yeomanry who were employed throughout the country, to say that they did not deserve the imputations which had been passed upon them. The yeomanry had been called a constitutional force; their duty was often very distressing to themselves, and rather exposed them to injury than credit in the way in which they were occasionally called out. He had himself, as an officer in a yeomanry corps, received orders from the Secretary of State in times of tumult, to put himself and corps under the orders of the local magistracy, and he of course obeyed. With respect to the unfortunate affair at Manchester, he thought the yeomanry stood exculpated; but he thought the multitude, the magistracy, and the government had been on that occasion misled. (*hear, hear.*)

Mr. W. BECHER said he would not enter into detail, for that ought to be reserved for the committee; but he was anxious to state the reasons, which he had been unable to state in a former parliament, why he thought the inquiry ought to go on. He had heretofore given a silent vote in

favor of every motion for inquiring into the unfortunate affair at Manchester, and he should have still preserved the same silent manner of recording his opinion, were it not that both within and without the walls of parliament the motives of gentlemen who thought as he did had been misrepresented. It was insinuated, but most erroneously, that those who disapproved of the dispersion of the Manchester meeting necessarily approved of the principles of those who had convened the people on that occasion. Now no person felt less disposed than he did to countenance the extravagant notions of reform entertained by some of those who had called that meeting together, or to sanction many parts of the conduct of the leader who presided on that day. (*hear, hear, hear.*) No person felt more disposed to invest the magistracy of the country with every proper discretion for the maintenance of the public peace, to give them every proper support, and enforce the utility and respectability of their functions; but the more he reflected upon the occurrence at Manchester, the greater and more decided was his conviction that no line of conduct was more calculated to check the growth of that respect which was due to the magistracy from the people, and weaken that bond of union which held the different classes of society together, than a refusal to concede such an inquiry as this to the general voice of the country. (*hear, hear.*) He knew it was said that if this particular inquiry were permitted, it would be impossible to shut out others from the same mode of examination; so that a new principle of a most impolitic and injurious nature would be established. The line of distinction between what ought and what ought not to be done, might, he thought, be rendered sufficiently obvious. There were many rules which might be laid down to govern the principle of this inquiry. Among them were—where a great public calamity had occurred, where a gross violation of constitutional privilege had been committed, where a great number of British subjects were killed and wounded in a time of profound peace. Where any of these occurrences took place, he thought the house might without any great impropriety, concede an inquiry. If they did not adopt such a mark of distinction as was reasonable and just in drawing the line, then they would expose themselves to that obloquy which many were so ready to heap upon them. To all such applications he wished the doors of the house to be thrown open wide as possible. The house ought not to be less ready to vindicate the privileges of the people than their own, upon which they generally showed so strong an attachment, and in a manner often more creditable to their feelings than to their discretion. (*hear, hear.*) It was quite sufficient, he thought to show in support of the inquiry some main facts which were indisputable. It was clear the meeting had been violently dispersed by a military force and a number of people killed and wounded. (*hear.*) It was equally clear that the parties representing themselves aggrieved, had in vain sought inquiry through a variety of channels, and were sometimes by very equivocal means refused the opportunity they sought. It was clear that the coroner had terminated his inquest in a very extraordinary and unprecedented manner (*hear*); that technical difficulties were interposed by grand juries, which prevented bills of indictment from being received. The objections ought to have been insuperable which led to such an interposition. All these were grounds sufficient to warrant the inquiry called for with so much abunty by his hon. friend; and he thought the representatives of the people never had a better opportunity of publicly manifesting their sympathy with their constituents, and practically refuting the imputations which had been cast upon them. Such a course of kindness and conciliation would have a salutary tendency, and would ensure the gratitude of the nation to a parliament thus showing a regard to the feelings of the people. (*hear, hear.*) For these reasons the motion should have his most cordial support. (*hear.*)

Mr. EGERTON considered that the town of Manchester had been saved from riot and disturbance by the measures pursued by the magistrates on the 16th of August. They had done their duty to the best of their power upon a sudden and critical emergency; and the magistrates acting upon their responsibility were amenable to the courts of law for their acts. Why then not resort to them instead of to that house?

Mr. GRENFELL said that he always felt pain when he differed from his honorable friends around him; but, upon the most mature consideration he could give to the question before the house, and the restrictive measures which at the time arose out of it, he saw no reason to alter the opinion he gave in the year 1819; but, on the contrary, he might say his opinion was confirmed, and he never gave a vote with more approbation from his conscience than he did now against this motion. (*hear, hear.*)

Mr. BERNAL regretted that his honorable friend who spoke last did not take a broader and more constitutional view of the subject, which, if he had, must have led him to a different conclusion. He (Mr. Bernal) begged to deny the correctness of the Solicitor-General's statement last night, that a court of law had pronounced that the meeting at Manchester was an unlawful assembly. The verdict at York established no such fact. (*hear.*) The indictment, if he was rightly informed, consisted of 8 counts. In the 4th it charged Mr. Hunt and others with having been engaged in a conspiracy to bring together an illegal meeting for the disturbance of the public peace, &c. Other counts charged them with joining in an unlawful assembly; but they were

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acquitted upon all except the 4th count, which by no means involved the question of the legality of the meeting. If the meeting, then, were not illegal, the interference of the military was unnecessary, and the magistrates had no authority to order a single soldier to advance among the people. (*hear.*) It was true that an eminent lawyer (Mr. Plunkett) had pronounced the meeting at Manchester illegal; he (Mr. Bernal) never concurred in that opinion; but even if the meeting were illegal, the learned judge who tried the case at York drew a just distinction between the guilt or innocence of the parties present. It did not follow that because some attended for an illegal purpose that others participated in their guilt. Besides, on the trial they would recollect that no evidence whatever had been offered to show the necessity there was to employ the military to assist the civil power. Mr. Hulton was very properly stopped by Mr. Justice Bayley, when he was stating the hearsay evidence of Nadin the constable. The hon. member then referred to the depositions read last night by an hon. member opposite (Mr. Bootle Wilbraham), and adverted to the former statement of a noble lord that a constable had been stoned to death by the people. Last night, when the hon. member for Dover was reading depositions and affidavits to the house, it struck him that he had fallen into an error on one point. He stated, that one Campbell, a pensioner, and a constable of Manchester, was, on the 16th of August, dragged from his home, and so savagely treated by the people that death ensued. Now, it so happened, if he were not misinformed, that, on the coroner's inquest, which took place after the death of Campbell, it turned out that this constable had fired pistols, loaded with ball, at different persons in the streets of Manchester; and three of the individuals who were on the coroner's jury testified that such was the fact. They further stated that the mob, who were irritated by the previous conduct, as well as by the wanton firing of Campbell, did inflict severe vengeance on him. This, however, was not on the 16th, but on the 17th of August, the day after the meeting. No such thing as the alleged stoning of this constable took place on the former day. But if it had occurred on the 16th, if the people, smarting under the wounds inflicted on them by the sabres of the cavalry and by the staves of the constables of Manchester, had met with one of the latter, who had been firing loaded pistols, he could not wonder at their proceeding, under circumstances of such aggravation, to visit the obnoxious person with summary chastisement, although he did not mean to justify the act. Many of the statements were, he believed, as incorrect as that which he had noticed. There appeared to be a willingness to believe every thing which tended to extenuate the violence that had been used. The old adage—*libenter homines quod volunt credunt*—was perfectly applicable to this case. He did not mean to censure the honorable member for Dover with participating in such a feeling; but they all knew that people were very apt to rely on any patched-up statement which seemed to favour their particular views of a question. When, however, grievous complaints were made, and when they were met by assertions of this nature, why should that house remain inactive spectators, knowing that ministers would not yield one point of what was demanded from them? He should be satisfied if a disposition were shown to send a parliamentary commission to Manchester to inquire into the facts. (*hear, hear.*) He saw a smile on the faces of the gentlemen opposite when he mentioned a parliamentary commission but there was nothing absurd in such a proposition. (*hear, hear.*) It was only the other day that a parliamentary commission was appointed to inquire into some supposed abuses in the courts of justice. If a commission were appointed in that case, why should it be refused on a matter of so much importance as that which was now under consideration? (*hear, hear.*) He feared, however, that a parliamentary commission would be no longer useful, ministers having so completely mixed themselves up with the business of the 16th of August. (*hear, hear.*) That they had done so, was clear from the thanks which were prematurely given to the Manchester magistrates, as well as from his Majesty's answer to the city address. Ministers had mixed themselves up so indelibly with the transactions at Manchester, that little good could be expected from the appointment of a parliamentary commission; and, such being the situation in which they were placed, no member, wishing to discharge his duty on this momentous occasion, could refuse his most cordial assent and his most decided support to the motion introduced by the honorable member for Westminster. (*hear, hear.*)

Mr. B. WILBRAHAM explained. In reading the names of persons on whom the coroner's inquests had been held, he had mentioned that of Campbell. But he did not state that the outrage committed on that individual had taken place on the 16th of August. He merely observed, that because Campbell was a constable, he had been pursued into a house—that he had been severely treated, and that in consequence of the injuries he had received, he died in the infirmary.

Mr. BERNAL had understood the hon. member to allude to the 16th of August.

Mr. H. TWISS was anxious to follow the hon. member who had just sat down. That hon. gent. had endeavoured to weaken the effect produced by the depositions submitted to the house by the hon. member for Dover, and had accompanied his strictures on those depositions with a Latin adage, which he (Mr. Twiss) took to mean "What people wish, they readily believe." The truth of those depositions was borne out by the event of the trial. Now, although on his (the Ministerial) side of the house, but one hon. member had made use of depositions, and that no less than three or four gentlemen on the other side had introduced statements of a different description, yet as they were not fortified by such a sanction as a solemn decision in a Court of law, the balance, even with respect to the depositions, was in favour of his hon. friend. But statements had been drawn from the opposite party, which were in themselves sufficient to furnish the house with reasons for refusing the motion of the hon. baronet. There certainly was no more pretence for conceding the proposition now, than there was when it was brought forward in, and rejected by, the last parliament. It stood admitted by the witnesses against the Crown, that not hundreds or thousands, but myriads of men assembled together in a sort of military order, on the 16th of August. One of the most intelligent witnesses for the defence stated, that those people were armed with sticks; but the witnesses for the prosecution described them as heavy bludgeons. Whether those weapons were or were not to be used as mere walking sticks, was to be inferred from the other accompaniments of the different processions. He particularly alluded to the various banners bearing inflammatory inscriptions, such, for instance, as "Let us die like men, and not be sold like slaves," which were as indicative of their feelings and disposition, as if they came from the crowd in living shouts. Was not this calculated to produce terror? And if so, were not the magistrates bound to interfere? How did they act? Did they interpose by an immediate charge of cavalry? No; the step they took was a repetition of the measure which had been adopted in London. After the meeting had commenced—after Mr. Hunt had exhorted the crowd "to exercise, in an orderly manner, the all-powerful right of the people," the principal actors in the scene were taken into custody. The learned gent. then proceeded to argue from the evidence given on the trial at York, that until the capture of Mr. Hunt there was not the hair of a man's head hurt. But the cheer with which the cavalry were received, the rush of the people upon them, and the resistance by missiles and other weapons, those circumstances occurring almost simultaneously, imbued the magistrates with a strong impression of the danger in which the yeomanry were placed, and, in consequence, they sent Col. L'Estrange to their assistance. From the tone assumed by gent. on the other side, one would suppose that the jury had acquitted Mr. Hunt, instead of having found him guilty of having presided at an illegal meeting. With respect to the illegality of the meeting, he would not go into those arguments which had already been submitted to the house. At first no military were introduced, because the meeting seemed to be assembled for a legal purpose—to consider of the removal of a grievance. But it soon appeared that the grievance complained of was the constitution of England. Independent of any weapons with which those people might have been armed, it was clear, from the statements of the learned judge before whom the case was tried, that the meeting was illegal. It was ruled by that learned person, in his charge to the jury, that if a meeting endangered the public peace, if it created fears and jealousies amongst his Majesty's subjects, it was an illegal meeting, although unarmed. He further observed that the carrying of banners, and the marching in military step, was calculated to produce fear in the minds of peaceably-disposed individuals; and he ultimately delivered his view of the law in one short sentence—namely, "that numbers constituted force; force terror; and terror illegality." This having been distinctly stated by the learned judge, he (Mr. Twiss) had supposed that the arguments formerly adduced in support of the legality of the meeting would, on this occasion, have been abandoned by the gentlemen opposite. The meeting, then, being illegal, the constituted authorities were bound to endeavour to put it down. But it was said that the warrant should have been executed by the constables alone; and the learned judge was quoted as having stated that Nadin had given no evidence to show the necessity of employing a military force. The fact was, no such evidence was given, because the learned judge would not receive hearsay evidence. But Mr. Hulton stated the danger of acting without the aid of the military, and Mr. Phillips declared that it would have been "madness" to attempt serving the warrant without assistance of that description. But was it to be said that the yeomanry, the moment they put on military uniform, ceased to be citizens? Certainly not. Lord Mansfield had held that soldiers were to act as citizens. This weakened, in a great measure, the complaint that the yeomanry were employed on this occasion. For his own part, he thought the magistrates had acted wisely in procuring the assistance of an imposing force, whose appearance would prevent the people from committing acts which in the end must have proved detrimental to themselves. When the yeomanry were met with cheers of defiance, when banners bearing inflammatory inscriptions were displayed, when the people seemed determined to resist the constituted authorities—where, he would ask, could a body of magistrates be found, who would hesitate at such a moment to extend protection to those lives

which were as dear to the country as the lives that had been so much deplored; The question was whether the danger of the yeomanry did not authorize the magistrates to send an armed force to rescue them from their perilous situation? It was admitted on the trial that no evidence could be given of the conduct of the yeomanry and the magistrates. The learned judge rejected such evidence. (*hear.*) It operated well for the rioters that such evidence was not received; and it was a little too much when those persons had the advantage arising from the absence of such evidence, to turn round and say—"The prosecutors were afraid to risk it." (*hear.*) What was present to the eyes of the magistrates? The yeomanry hemmed in by the people. "Good God!" said Mr. Hulton, "see how the yeomanry are attacked; must they be left to perish?" and then the military were ordered to advance. The magistrates, by this step, saved the yeomanry, and perhaps they saved the country. Even if they had exceeded their jurisdiction, the circumstances would fairly warrant their conduct; but he denied that they had committed any excess of jurisdiction; and surely the house could not think of putting men of humane and honorable characters on their trial as criminals, because they had acted with promptness and decision in circumstances of such difficulty and danger, such doubt, and such alarm. A court of justice would call on a prosecutor to prove something, or else it would not interfere. But that house was required to award as a court of equity what a court of justice would refuse; it was asked, not to temper, but to aggravate; not to assuage, but to inflame; not to consider the circumstance calmly and dispassionately, but to minister to popular fury and revenge. If mischief resulted from the timidity of a magistrate, he would be blamed; and, if he adopted an efficacious measure for the purpose of preventing disturbance, he was equally censured; he was then denounced for his prompt decision, and asked how he dared to interfere? (*hear, hear.*) If those banners were seditious—if they appeared to be the very core of the mischief, it was the duty of the magistrates to seize them. The yeomanry were sent to perform that duty; and what was the gist of their crime? It was merely this—that when attacked, they turned round and defended themselves. Why, he would ask, should not as much commiseration be felt for the legally assembled soldier as for the illegally assembled tradesman? With respect to the number of sabre wounds which were said to have been inflicted, if the fact was as it had been stated, 500 persons must have fallen victims instead of one. He looked upon the statement of casualties to have been greatly exaggerated. The learned gentlemen then contended that the House of Commons, although it was called the grand inquest of the nation, was not therefore to take cognizance of every particular event which occurred in the country. He denied that the government had so mixed themselves up with the transactions at Manchester that the house were bound to institute an inquiry into those transactions. Government had been called on to give an opinion on something which had been done by others; and they gave as correct an opinion as they could on the case laid before them. The house had been told that ministers had expressed their unalloyed satisfaction for the blood that had been shed. For the blood that had been shed! No: their satisfaction was expressed for the blood which the conduct of the magistrates had relieved the country from the fatal necessity of shedding. (*hear.*) Government had no more made themselves parties to the dispersion of that meeting, than the gentlemen opposite, by their opinions and speeches, had made themselves parties to its assembling. The letter of Mr. Hay on the evening of the transaction, stood at that moment uncontradicted in any point. (*hear.*) The government was bound to receive information which came from a magistrate in his official capacity, and to believe it true, until the contrary was proved. It would be a most lamentable circumstance, if the country were governed by a fearful administration, who would abstain from doing that which appeared to be necessary, lest obloquy should be cast upon them. It was their duty to act for the country to the best of their judgment, and not in the slightest degree to consider themselves. They were bound to exert their best abilities to suppress the appearance of an insurrectionary spirit. In doing so, they might safely depend on the support of all honest men—they might more especially depend on the support of parliament. Their conduct, with respect to these transactions, was now, for the second time, arraigned before that tribunal; and the result would, he was well convinced, be a second triumph. The honorable gentleman concluded by expressing his veneration for that noble institution of our forefathers, trial by jury; and his amazement, that the hon. baronet, who was so frequently eulogizing its advantages, should, by such motions as these, uphold a course of proceeding which was calculated to subvert it, or to substitute for it a mode of investigation which was at once improper and expedient. (*much cheering from the Treasury benches.*)

Mr. HOBHOUSE rose under very peculiar disadvantage; first of all, because so much ingenuity and labour had been brought to bear upon this subject; and secondly, because he had to address the house, after a gentleman of legal talents and experience. He could not recognise, however, in the speech of that honourable gentleman any exposition, or any application of that law, under the provisions and protection of which

they had so long existed. On the contrary, not only in the speech of the learned gent. himself, but in the other speeches which he had heard from honorable members on the other side of the house, he could discover attempted excuses, merely, for the infraction and violation of that law, and of that constitutional system which hitherto had been the safeguards of the subject. An honorable and learned gentleman, whom he did not at that moment see in his place, had taken an opportunity of praising that old law which was formerly provided to try certain offences in the neighbourhood of the place where they had been committed, by virtue of a writ *de vicinato*. He wished that the hon. and learned gentleman had done more than only eulogize this ancient practice. He very sincerely wished that his hon. and worthy colleague (Sir F. Burdett, we presume) had been favoured with the opportunity of being so tried (*hear, hear*); he wished that upon a recent occasion they would have granted a writ *de vicinato* to try him in the neighbourhood of those who were his friends, kindred, and acquaintances, where he possessed property, and where he was well known. (*hear.*) It had been asked how it happened that his hon. friend, the worthy baronet, after complaining of this matter and calling the attention of the house to it in 1810, should now come forward demanding to be furnished with other facts, and to have a parliamentary investigation instituted into the whole transaction. If the honorable baronet, as some hon. gentleman had so strenuously contended, did not then see the subject clearly, from the defect of evidence or any other cause, was that circumstance to be adduced as a reason why he should not now, when furnished with additional lights and additional facts, again call the attention of the house to it, and require strict examination to be made into it? Was it no important matter—did it furnish no ground for such an investigation, that upon the trial at York, occasioned by the very facts of the meeting which took place at Manchester, the defendant was acquitted upon all the counts but the fourth? The learned lawyer who had addressed the house should have remembered this; but he did not follow the salutary advice of the learned Solicitor-General, who had said—"Don't tell me of this or that deposition; but let me look at the verdict of a British jury." As to the depositions which had been read by another hon. member (Mr. Wilbraham), he should be disposed to call them rather so many statements, dictated, under the impression of those fears by which the deponents professed to have been actuated. Now, to return to the learned gentleman who spoke last, he had a few objections to urge to his speech, with which he should venture for a few minutes to trespass on the house. The first of these was, that the learned gent. throughout the whole of his observations, had taken for granted the most important facts. The learned gentleman said, "Would you not have the soldiers defend themselves, when they are attacked, as well as citizens?" To be sure; he (Mr. Hobhouse), for one, would have them so defend themselves. But then he defied the learned gentleman, or any of his friends who sat round him, to produce a single evidence to prove that the soldiers were so attacked by the people before they had assailed the people. (*hear, hear.*) That the people should then defend themselves was of course to be expected. Poor creatures! no doubt they did defend themselves as well as unarmed, surprised, and terrified men might be supposed able to do. It was once said by Brasidas, the famous Spartan, that if one laid hold of a mouse, it would bite. Was it, then, to be supposed that the people, in the quiet exercise of one of their most undoubted privileges, were to be unresistingly bayoneted, sabred, trampled under foot, without raising a hand against their furious aggressors? (*hear, hear*); or, if the noble lord would allow him to borrow an idea and a phrase from him, without putting their hands into their pockets for the stones which they were represented to have brought with them? (*laughter.*) Were the people thus attacked and interrupted not to defend themselves? (*hear.*) Then, it had been said that Mr. Hulton had deposed to these missiles having been used—to having seen them thrown. This Mr. Hulton, who had very suddenly acquired a character for his humanity, and had become a very great man, had, however, been stated to have given evidence of a different description by the hon. member for Peterborough in another place. That hon. member, who seemed to have been anxious rather to defend Mr. Hulton, then remarked that the evidence of this gentleman was quite natural, considering the situation in which he stood upon the occasion. Now what was the amount of that evidence? The hon. member for Peterborough described it to be this—that Mr. Hulton saw that the sticks and stones were not thrown, but only raised. (*hear.*) So that all which the ingenuity of the most eminent lawyers, and all which the counsel for the crown, could not find out—namely, that the soldiers did not attack the people till they were assailed themselves; this most important fact, which it had been vainly endeavoured to substantiate upon the trial, had now been found out by the learned gentleman opposite (Mr. Twiss.) The evidence of Mr. Stanley, a respectable clergyman, who saw the whole transaction from an upper room above that in which the magistrates were assembled, was well worthy attention. He declared that he saw no sticks or stones used, although, from the commanding situation in which he stood at the time, he thought that if any stone larger than a pebble had been thrown, he must have seen it. It was a matter of some importance to show why, in a former session, parliament refused the investigation which was then applied for, relative to this unhappy business. In that house it was said

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by the Chief Justice of Chester.—“Let honorable gentlemen consider what the banners were which were used on this occasion, and how they were inscribed.”

Mr. Sergeant ONSLOW rose to order. It was irregular for any honorable gentleman to quote the words of another honorable member used by him in a former debate. (*cries of order.*)

Mr. HOBHOUSE.—“I beg the honorable gentleman's pardon. This occurred in a former parliament.” (*cheers.*) There was, therefore, no irregularity in his quoting the words. They amounted to this—“that there was on one of the banners a female figure with a bloody dagger in her hand;” and, therefore, the Chief Justice of Chester went on to infer that some alteration in the law of England was necessary. He (Mr. Hobhouse) did not see how this followed, to be sure, and was almost tempted to exclaim, “This is a *non-se-quitur*, Mr. Sergeant.” (*hear, and a laugh.*) In the other house it was stated by the noble secretary for the Home Department, that there were, among the weapons that were seen, “pikes, having the appearance of being dipped in blood.” On the trial, however, none of these pikes were forthcoming; and no body knew any thing about them. (*hear.*) It was also stated on the same occasion by the noble Home Secretary, that not a single life was lost in consequence of the blows and wounds which were on the 16th of August inflicted by the soldiery. (*hear.*) For an answer to this assertion, he (Mr. Hobhouse) would not pain the house by again referring them to the bloody catalogue of the killed and wounded on that day, which he held in his hand, and which occupied from 25 to 30 sheets of paper—a catalogue which he defied the hon. gentlemen on the other side, and all their myrmidons (he meant not those who were sitting on the same benches with them; but the officers whom they employed in those parts of the country) to disprove; for the names had been collected, not by those who had any interest in exaggerating the amount of these calamities, but in extenuating them rather; in short, they were collected from the returns of those very officers. (*The honorable gentleman here went on to advert to other speeches delivered in former sessions of parliament upon this question, also to the hon. gent.'s (Mr. Twiss's) observations relative to Mr. Hay, and the thanks which had been communicated to the magistrates of Manchester by his Majesty's ministers.*) On what authority, as had been properly demanded by his worthy colleague the hon. bart. were the thanks of his Majesty so given to the magistrates? He begged to ask, why did not ministers produce it? (*hear, hear.*) The hon. gent. said that they were given upon the occasion of Mr. Hay's letter. It was no such thing. But these thanks were altogether a new proceeding; it was altogether new that ministers should in this way pay the highest tribute to the magistrates which it was possible for an English subject to receive, next to the applause of the people—namely, the applause of his sovereign. Another mistake made by the honorable gent. relative to Mr. Hay's letter was, that he alluded to it as if it were unimpeachable authority; whereas it had not yet been confirmed in any thing. In that letter Mr. Hay said that Mr. Nadin preceded the yeoman; and Nadin, at Oldham, swore that they followed him. The hon. gent. had talked of its being next to impossible that such a meeting as this should be dispersed with fewer injuries and accidents than had happened. Fewer injuries! Good God! What said that fatal catalogue, to which it was needless for him again to refer? With such a scene of calamities before them, were they to be told of the few injuries which had been sustained? But, in addition to all this evidence, he (Mr. Hobhouse) had been told by a gentleman who was an eye-witness of the general dismay and confusion of the day, that he saw overthrown on the ground at one time not less than 2,000 men, women, and children; and yet the house was informed that a dispersion with less of damage and injury to the multitudes assembled could not be effected! If the facts were, as the hon. member for Dover wished to impress upon the house, that only one person was killed and only one wounded, still he would maintain that these were sufficient to justify a serious inquiry. (*hear, hear.*) But the fact was, and it could not be denied, that, besides the numbers who lost their lives, there were vast numbers severely wounded. It would be quite erroneous to suppose that the returns from the infirmary in Manchester could contain an account of all the persons who were wounded. He would only call the attention of the house to the fact, that, on the trial of his honorable colleague, he offered the affidavits of not fewer than a hundred and nineteen persons who had been severely wounded on the 16th, but the Court did not think proper to receive them. With respect to the stones which it was said had been collected on the ground after the meeting, some of them polished as if they had been brought in the pockets of those who had attended, he thought it scarcely worth replying to; for he could not believe that the hon. member (Mr. Wilbraham we believe) was serious when he made the statement. Could it be supposed for a moment that men could have come laden with stones for the purpose of attacking armed troops? and much less could it be supposed, that if they had intended such an attack, they would have brought their wives and children. The honorable member then proceeded to observe, that, according to the evidence of Mr. Hulton, no attempt had been made of a conciliatory nature before the troops had received orders to enter the multitude; and was this attack, which left, according to the evidence of

another witness, several hundreds bleeding and fainting on the ground, that extended justice of which the honorable member for Newcastle had talked? Was this the conduct for which thanks and encouragement ought to have been given to the magistracy and yeomanry of Manchester? But it had been said that the crisis of disaffection had arrived at the time, and that the people talked of the overthrow of the government. He, in defence, of the people, would say, that they never talked of the overthrow of the Government. They might talk of the overthrow of the boroughmongering faction, which did not represent the people, and which it was the duty of the people to put down; but this was not intended as the overthrow of the government. If it were a crime to hold such opinions, he was guilty, for he held them most conscientiously. But, as a proof of this intention of the people, it was mentioned that they had at the meeting not fewer than 18 flags and five caps of liberty. Had the hon. member who had stated this, ever seen an old half-penny on which that cap was stamped? Had he ever heard of the processions where such emblems were borne before the sovereign? No doubt they were hateful in the eyes of some individuals, who would be anxious to have them abolished; but as yet the use of them was not of itself criminal in this country. In order to afford some pretext on which to assert the disloyalty of the meeting, it was said that the resolutions passed at the Smithfield meeting were to have been moved at Manchester. He had not heard that any such thing was proved on the trial; but if the Smithfield meeting was the disloyal one which it was now meant to be inferred, why had it not been interrupted? The hon. member (Mr. Wilmot, we believe) had, in allusion to his (Mr. Hobhouse's) hon. colleague, talked something of imbecility. That, he should have thought, ought to have been the last thing which should have been urged against him. To use the words of the poet Dryden,

“To die for faction, is a common evil:
But to be hang'd for nonsense is the devil.”

(*hear, hear.*) However, it would only be unnecessarily occupying the time of the house to observe further upon such an insinuation. But the hon. member had talked of the late period at which this motion was brought forward. He had talked as if there were a statute of limitation of grievances. Indeed, some such object was in view, when the acts of 1819 were passed, to prevent any repetition of complaints of grievances; but those measures, most clumsily framed, had wholly failed in this respect. But would it be for a moment held that the wanton (as he contended it was) attack on thousands of our fellow subjects—the wounding of not less than six hundred and sixty, on that occasion, should be passed over with impunity, because a short time had elapsed since its perpetration? It was a maxim in our law, that *Nullum tempus occurrit Regi*; and he did not see why the right of the people to redress should be barred by a lapse of two years. But to take the argument of the delay of this motion, he would observe that, shortly, almost immediately after the passing of the bills in 1819, the parliament was dissolved; and from the time of the assembling of the new parliament up to the date of her Majesty's arrival in this country, there had been no good opportunity of bringing this question forward. On the arrival of her Majesty, a stop had been put to almost every business. But it might be asked why (and this was the most honest part of the argument on the other side)—why had not the question been brought forward at an earlier period this session? Of those who had used this argument he would ask, where had his honorable colleague been for the greater part of this session? (*hear, hear.*) The hon. and learned gentleman (the Solicitor General) had been too successful in his arguments elsewhere, to need an answer to such a question. It could not then have been brought forward at an earlier period than the present; but, at all events, the time did not bar the right of redress. He had heard it said that the government had known nothing of the transactions at Manchester, until some time after. That might be true; but still he conceived that, if not accessaries before, they were accessaries after the fact, by the thanks they had given, and without inquiry, to those who had been principals in those transactions. It had been said that the case was fully settled by the verdict of juries. This argument in favour of the verdict of juries, being decisive of particular questions, came badly from those who had objected to them in the case of Hone. But if these were complained of, he did not see why the decision of Lancaster juries should be sufficient to bar all inquiry in that house. He could not but express his astonishment at the argument of the honorable member who had called those proceedings justice on an extended scale, and who seemed to infer the existence of full and unrestricted liberty from the circumstance that we were still allowed to complain of our injuries, to infer it from the liberty allowed his hon. colleague of making such a speech as he had made. Such an argument was more fit for the meridian of Morocco than for such a country as England. The hon. member would then suggest that after such a gross attack on the people they should rest satisfied, wipe the blood or dust from their feet, and congratulate themselves that they were still allowed to complain of their injuries. Suppose some were to describe a country where a most wanton and cruel outrage had been committed upon an inoffending people; suppose he were to describe many killed, and hundreds wounded, and to add, that before the blood had ceased to flow from many of those wounds, the

sovereign of that country was advised to give his thanks to those who had perpetrated such an outrage. Suppose, he added, that they whose duty it was to afford redress and administer relief had not only neglected, but refused the duty; could, he asked, such a country be considered free, because the inhabitants were allowed to console themselves by complaint? It would be absurd; and yet such was the case with this country at present. The honorable member then said, that considering the attempts which had been made to put down all reform within the last thirty years, he was only surprised that such an attempt as that he had described had not been made before. Let the representatives of the people show that they had still a voice to complain, and let them use it in an endeavour to vindicate the rights of the subjects which had been so grossly attacked. Let not their regret at what had passed be confined to regret alone; but let them endeavour, if not to repair, at least to prevent the repetition of the evil. He was on this occasion reminded of a passage in Cicero's twentieth letter to Atticus, which he should beg to repeat.—“Nunc quidem novo quodam morbo civitas moritur; ut cum omnes ea, quæ sunt acta, improbant, querantur, doleant, varietas in re nulla sit, aperteque loquantur, et jam clare gemant; tamen medicina nulla afferatur, neque enim resisti sine internecione posse arbitramur; nec videmus qui finis cedendi; præter exitium futurum sit.” The hon. member concluded, amidst considerable applause, by thanking the house for the attention with which they had heard him.

The cries of “question” became now very loud, and the Speaker was ordering strangers to withdraw when

The Marquis of LONDONDERRY rose. He observed, that after the extent to which the discussion had been protracted, he thought it would be an abuse of the patience of the house if he were to occupy their time in using more argument than was necessary; but he was sure the house would feel, after the many personal appeals which had been made to him in the course of the debate, that independently of the situation which he held, and his responsibility as a minister of the crown, he would not stand justified if he did not enter into some explanation of the question. That he had delayed doing so until that moment was owing to the declaration of the hon. bart., that not only the Manchester magistrates, but also the executive government, were culpable in those transactions. He did not object to the executive government being held responsible for their conduct, and therefore he would enter into an explanation of that conduct; but before he did this, he begged to say a word as to the situation of government and of the house itself with respect to this question; and here he must protest against the assertion that any of the transactions at Manchester were under the directions of his Majesty's government. He could state that government was quite distinct from the whole of these proceedings, and that all the matter now under discussion could not have been controlled or interfered with by ministers; and that they were not aware of their occurrence until they had been informed of them by Mr. Hay. It was then that they advised the thanks of the Sovereign, of which he should say more presently. As to saying that they had applauded the spilling of blood, he was certain there was not a member of that house who believed it; for it could not be supposed that any men in their situation would be base and cruel enough to approve the shedding of the blood of his Majesty's subjects. (*hear.*) He would state that it was not because blood had been shed, and that the transactions were of a most painful nature, in consequence of the shedding of blood, that ministers were to shrink from their duty in thanking those whom they conceived to have conscientiously discharged arduous and important functions, leaving their conduct open to the visitation of the laws, if it should be afterwards found that those laws had been violated. It had been said that ministers were culpable in not having waited for an inquiry before they gave the thanks of the crown; but he maintained that they owed it to the magistrates to give an immediate opinion as to whether they had been considered to have acted in a fair point of view or not, without waiting for an inquiry into the minutiae of the transaction. (*hear, hear.*) Why had not the same objections been made with respect to what had occurred relative to the riots in Cambridgeshire? The satisfaction which his Majesty's government had expressed at the conduct of the magistrates and yeomanry, was not that blood had been shed; but that amidst those painful transactions, the most painful of which was the shedding of blood, the magistrates and the yeomanry had been found intrepid enough to discharge their duty on that day. If that expression of thanks could have stood between the magistrates and visitation of the law; if it could be afterwards shown that they had violated it, then indeed ministers might have been to blame, even though they had followed a general custom; but when they had only adhered to that general custom in a manner which could not prevent the future visitation of the law, it was an unfounded aspersion to say that they had any wish to sanction cruelty or bloodshed. (*hear.*) Now the house would allow him to say that this was the second time in which his conduct, as one of the ministers of the crown, had been arraigned upon the subject of those transactions at Manchester. It certainly was not in the same parliament, yet before the parliament of the country, he had before explained the conduct of government; and the proposition for censuring that conduct had been rejected by

perhaps the largest majority which had ever pronounced upon any question in that house; the numbers being 381 against 150. He would therefore say, that if such had been the opinion of the house at a time when the feelings of the public had been wound up to exasperation, by statements of what was said to have occurred, it ought to have been considered as decisive of the question. But if that had not been thought sufficient by the hon. baronet, why had he delayed it till the present time? Why had he suffered the year 1820 to pass over without bringing forward his motion? Why had he waited to the present period of this session? He (Lord Londonderry) would answer, that it was to revive, by the re-agitation of this question, those dormant feelings which happily, notwithstanding every thing that had been done, still remained tranquil in the country. (*hear, hear.*) In bringing this question before the house, the hon. bart. had thought fit to argue it as a transaction which should only be viewed as far as it respected Manchester itself. But was that the fair view of the question? Ought not the proceedings on that occasion to have been, as they were very properly, viewed with reference to the general state of the country. The spirit which was known long before this period to have existed at Manchester, was also known to prevail in many other parts of the country? It had extended to the metropolis itself, where they saw that an illegal meeting had been held in Smithfield under the same individual who afterwards presided at Manchester. He had said that the Smithfield meeting was illegal, and he asked, could there be a doubt of the illegality of that meeting, where it was resolved that the national debt was not a lawful debt, and ought not to be paid, and that the people ought to pay no taxes, after a certain time, if parliament were not reformed. The same individual who had presided at this illegal meeting in Smithfield, was subsequently found going down to Manchester to preside at another meeting to be held there. Was not that of itself sufficient to create alarm in the minds of the authorities at Manchester? The spirit which had assembled the crowds at Manchester had afterwards exploded into positive rebellion, and had brought many under the lash of the law for that crime, and nothing but mercy could have saved more than 100 persons from forfeiting their lives as traitors in Scotland and in Yorkshire. It had not therefore been correctly stated that the meeting at Manchester had consisted of moderate reformers, assembled for temperate discussion: but they were a great mass assembled for intimidation and bringing on a revolutionary movement (*hear, hear, from the Ministerial benches*); and if the design had not been repressed there, it would have broken out into rebellion, and instead of the blood that had been shed there, torrents of blood would have burst forth. (*cheers from the Ministerial benches.*) The honorable baronet had charged him with having made a statement formerly on this subject, and with having asserted the truth of the statement. But he (Lord Londonderry) positively denied that he had undertaken for the truth of one single fact which he had stated. (*hear, hear, from the Opposition side.*) He was in the recollection of many members of the house, and he said that he had only, in opposition to facts on the other side, stated facts on the best information he could receive. So far had he been from contending for the accuracy of the statement, that he had said the house was not the place for inquiring into its accuracy; and he had only stated those facts to stay the feelings of the house, and to protect the characters of worthy men, as he believed them to be, against calumny and misrepresentation. For this purpose he had stated facts on the best information he could obtain. Yet, contending that he never had made himself answerable for the facts, he must, in justice to those from whom he had received his information, say that it had not been found liable to any contradiction but such as must necessarily have arisen from the circumstances in which the information was given, and from a case of so much confusion. He would not now go into the facts, and it was quite unnecessary, if he could satisfy the house that their character and accuracy ought not to be inquired into at their bar. But all the main facts which he had stated had been distinctly confirmed. He did not find that any one of the main facts relied on had been invalidated, nor any of those facts on which parliament had solemnly acted. The facts were fully established, that there had been a meeting of from 70,000 to 80,000 persons, assembled in circumstances infinitely formidable in themselves; that the men had come in military array; and that they met for any object but sober reform. The magistrates had been, he did not say justified, but called on as honest Englishmen to be at their post and to take care to be supported by a proper military force. The magistrates had not intended to interfere with the meeting, (*cheers from the Opposition side*). They had taken their post for the purpose of watching the meeting, not of breaking it up. After a variety of depositions had been made, which gave a character of terror to the meeting in the minds of the people of Manchester, and which gave the meeting that illegal character which the law asserts, then they had granted a warrant. The house had the verdict of a jury, as far as the arrests, in justification of the magistrates. Mr. Hunt's conviction proved that the magistrates had been justified in issuing a warrant against Mr. Hunt and those who had been acting with him. There was, therefore, not merely the depositions made previously to the issuing of the warrants, but the verdict of a jury since, to prove that the warrants were properly issued. The jury, acting under the instruction of the learned judge, Mr. Justice Bayley, who

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had felt no doubt so far as the persons convicted had been concerned, had confirmed the previous depositions laid before the magistrates. Who would venture to say that the meeting had not become illegal from the moment that the peace had been broken, and resistance had been made? From that moment that resistance had been made and tumult had arisen, the assembly had become generally and universally illegal. If that was the case, the question then was, were the measures which the magistrates had adopted reasonable, or were they measures of cruelty and oppression, which would always be reprobated by British law? (and officers in the performance of their duty, if they were guilty of cruelty or oppression, found the proper corrective in the law.) He (the Marquis of Londonderry) still said that military force had not been called in till the person employed had said that he was not able to execute the warrant. (*cheers from the Opposition side.*) He said that the magistrates had not employed a greater force than was necessary, and had not called assistance in till the danger of the yeomanry required it, (*loud cheers from the Opposition.*) Hon. gent. might think that they knew better than the magistrates who had been present; but Mr. Hulton had seen the danger of the yeomanry. Now he would not attempt to go into the circumstances which characterized that day. Injuries had happened to many innocent persons. The servants of the magistrates, the constables, had suffered: they had been struck, injured, and trodden down. But it was those who had brought such an assemblage together (*hear.*)—it was those who invited multitudes to assemble, under the mask of reform, prepared for nothing but violence and rebellion (*hear, hear.*); it was on their heads that all the blood would fall, and not on the magistrates who had the true manliness to perform a painful duty, (*great cheering from the Ministerial benches.*) He must be permitted here to comment on the course pursued by those who sought justice in this house, and to allude to their conduct elsewhere. Did they mean that if murder had been committed, that the laws were not capable of affording redress? If they charged the necessity to the grand jury of Lancashire, did they mean that the conduct of any grand jury could shut the door of justice? (*hear, hear, from the Opposition side.*) It would have been more becoming the hon. bart. not to have let any grand jury shut the door against a question of blood, than to have kept a notice hanging there so long. (*cheers from the Ministerial side.*) If it could not be tried as a question of blood, were there not other questions which would bring all the circumstances of this transaction under the consideration of the juries of the constitution? Did the hon. bart. mean to say that this complicated question could be tried only by the jury whom he was daily traducing? (*loud cheers from the Ministerial side.*)—before an assembly which he could hardly bring himself to treat as the orders of the house enforced upon every member, and whom, if he was obliged to treat decently in that house, he took every opportunity elsewhere of degrading and vilifying? (*hear, hear.*) Was this the assembly to whom he wished to submit this most complicated transaction? (*hear, hear, hear.*) This was an insult to their understandings. Was the hon. baronet driven to this house? Were those who suffered driven by the laws of this free and happy land to have no resource? He put it to the hon. baronet, whether any person removed by force from that place—Peterloo, he believed it was called—had not this action, and whether such an action would not bring the whole merits distinctly upon evidence into view? The hon. bart. endeavoured to show, that all ought to have been sifted on the very important trial of Mr. Hunt. Why had not all the evidence connected with the transaction been brought forward at that trial? For a most obvious reason—because the question there had been, not whether the meeting had been improperly dispersed, but whether it had been properly and legally assembled. (*cheers from the Ministerial side.*) The judge had repeatedly stated, that the question was the legality or illegality of the meeting. It would have been impossible to delay, or rather to dally with such an inquiry, by bringing all the evidence forward. Mr. Hunt's trial had nothing to do with what had been called the cruelty of the dispersion. Actions might have been brought against Mr. Hulton, against Colonel L'Estrange, against the Manchester Yeomanry who had been improperly traduced, and every man would be traduced who would fearlessly do his duty. It had struck him (the Marquis of Londonderry) as whimsically amusing, when an honorable gentleman on his side of the house was stating facts, as they had been given to him, to see the hon. member for Shrewsbury (Mr. Bennet) constantly interrupting the question, "Is that deposition on oath?" meaning, it was not on oath, that it was unworthy of attention. All the reformers of Manchester who sent statements to that house were to be believed on their honour and conscience! (*loud cheers from the Ministerial side.*) and the house was called on to place entire confidence in their honour and conscience. This was a proof that the advocates of this motion had not an inch of ground to stand upon, when that which was brought forward by them, they dared not to suffer to be sifted to the bottom. But how could the poor sufferers, without one farthing of money in their pockets, go to a jury for that justice which the hon. bart. applied for to that house? He (Lord Londonderry) had seen in a list of subscriptions, amounting, he believed to 2,000*l.*—the name of the honorable baronet with a large sum after it. Was one farthing

of that money laid out for the purpose of obtaining justice? Yes; he understood for the agents at the inquest, in Oldham. A more base transaction than that before the coroner at Oldham he had never heard of. It had been an attempt not to get evidence of the circumstances of the sufferings of any person, of the manner and of the circumstances of the proceeding; but it was an attempt to prove the circumstances which had taken place at various points calculated not to bear on the transaction, but for the getting up of a case to inflame the public mind, and to pour a torrent of disaffection on the country, and not calculated to obtain justice on the guilty if guilty they were. Unfortunately there were too many who had suffered on that occasion. It was impossible to read the proceedings of that day without one's heart bleeding for the injuries inflicted. But they had been brought on by themselves; and with them some innocent persons had suffered as would always happen on all such cases. Never had there been a more absurd endeavour than to send down persons with a purpose of this nature—than, in this country, where charity was always liberal for cases of distress, and where none could want relief, to send and to advertise for grievances and wounds and bruises. (*cheers.*) This had been thought better than bringing the criminal parties to justice, if there were any criminal. This had been done to rouse indignation and to pervert the public mind. The honorable baronet now came forward on worse ground, because parliament had formerly and solemnly decided that they would not interfere, not because they felt not for the injuries suffered, but because they could be better inquired into elsewhere, and in courts the vices of which the parliament would correct when properly arraigned. No case had been laid for parliament examining a case of a complicated and extended nature, and calling to their bar hundreds of individuals still excited and irritated. If parliament were to go into the inquiry, what practical end could it have? Did the honorable baronet move the inquiry with the view of impeaching his Majesty's ministers, or the magistrates of Manchester? He (the Marquis of Londonderry) did not apprehend that the hon. bart. had opened a case of that nature. He did not think the house would go into such an inquiry on such loose grounds as had been laid. An hon. and learned gent. (Mr. Denman, we believe) opposite, had said that the proceeding had been of so highly sublimated a character, that no other tribunal was fit for it: it was beyond the Court of King's Bench; it was beyond any assizes; it was beyond all sessions. It was one of the most extraordinary cases in which constitutional principles were offended against (*loud cheers from the Opposition.*), though there was no offence known to the law. The house, however, with the extent of business before them, and at this time of the session, would not, he thought, be persuaded, even by the eloquence of the hon. and learned gent., to enter into examinations of the evidences of the intrepid witnesses of the Oldham inquest. As to the appeal of the hon. bart., it would be disposed of to-night. The hon. and learned gent. might renew his proposition. If he (Lord Londonderry) knew any thing of the British House of Commons (*loud and repeated cheers from the Opposition side.*), they would not give a judicial opinion on points on which the parties had declined to go to the regular courts. The manliness and good sense of parliament would regard this as a feeble attempt—for feeble, thank God, the attempt was,—to revive tumults and delusions (*loud cheers from the Ministerial side.*), which were answered by louder cheers from the Opposition side, which had been suppressed by the strength and wisdom of parliament, who had saved the country from what had nearly become treason and rebellion. Parliament had more recently delivered the country from the delusions of another great question. (*loud cheers from the Opposition.*) He did not impute to gentlemen opposite the disposition to occasion every mischief which resulted from such questions, but he could not compliment them by saying that their conduct did not increase those evils, and tend to renew the tumults which had been quelled. Whether those delusions and tumults could be renewed depended much on the vote and temper of the house this night. Whatever attempts were made, in or out of parliament, to make people believe that they were not the representatives of the people, as their representatives they had a magical influence. The danger of treason had disappeared before the thunder of parliament; delusions on another subject had disappeared before the voice of parliament; and those delusions could never be renewed against their strong and decisive vote this night. (*great cheering from the Ministerial side.*)

MR. SCARLETT said he had no doubt that the noble lord's speech was well calculated for its purpose (*cheers*), and he had no doubt but it would have its impression. It was a speech much more of the nature of magic than of reason. (*loud cheers.*) If it had not reason in it, it had something surer. (*cheers.*) And the noble lord himself seemed to be the greater thunderer in the house. (*loud and repeated cheers.*) This he (Mr. Scarlett) was sure of—that if the noble lord were not better acquainted with the House of Commons than with the nature of fair debate, he would not have attempted to defend the weakness of his own cause, by carrying war into the territories of his opponents, and imputing motives to all who stood in his way. (*hear, hear, hear.*) From the real nature of the case on the noble lord's part one would have expected a candid and modest defence—*"a laugh, and hear, hear"*—he said

candid and modest, for if it was a defence which the noble lord had made, it was not altogether remarkable for the character of modesty. A great part of it had been an attack on the motives of those who had brought forward this motion. If the noble lord could not think of the transaction without feeling his heart bleeding, could he not conceive any motive for this motion but what was mean, base, and inconsistent with humanity? (*hear.*) Might he (Mr. Scarlett) not ask why those who brought it forward might not be supposed to feel their hearts bleed, too, at the injuries and sufferings of that day, and feel the tenderest humanity as their motives? (*cheers.*) The noble lord had said truly, that the verdict of a jury had proved the illegality of the meeting, but that the question of the dispersion remained altogether untouched. But it was new to him (Mr. Scarlett) to hear that when the dispersion was of such a nature as to make one's heart bleed, the only remedy was specific actions for each case of injury. (*cheers.*) He thought that the circumstances which made the heart bleed—an immense assemblage, who had committed no outrage, dispersed in a manner so cruel, trampled on, wounded, and some destroyed—might be brought before a British House of Commons from a feeling concern for our fellow subjects, and without any disposition to excite tumult. (*loud and repeated cheers.*) The noble lord's manner indicated the triumph he anticipated; his confidence had arisen from his knowledge of the result. The subject itself, he (Mr. Scarlett) viewed perhaps differently from any view that had hitherto been given of it. He was unwilling to allude to matters in which he had taken part; but having been alluded to from both sides of the house, he would offer a few observations on the trial at York. It was perfectly fair to draw inferences from his manner of conducting the trial, but not from his silence in that house, respecting his motives. Why Nadin and others had not been called, the house would not at least know from him. The public had a right to draw their own inferences. He had endeavoured on that occasion to follow the same path of duty as on every other; and to effect this object by all the means consistent with a good conscience. (*hear, hear.*) It had been said that he was well acquainted with the magistrate, Mr. Hulton. He was not well acquainted with him; he knew none of his family; and all he knew of him or his family was to his credit. One of his objects in now addressing the house was to redeem his pledge to him (Mr. Hulton.) Mr. Hulton had been examined; his examination was before the public; it was not so correctly reported as it ought; but no intentional misrepresentation could be imputed to any one. The meeting having thus begun to assemble, the mode of its assembly, and the increasing numbers of those assembled, appeared to inspire the inhabitants of Manchester with considerable alarm. The magistrates, who at that time were assembled at Mr. Buxton's house, did not contemplate any thing more than the collecting of a military force in the neighbourhood to watch the meeting, until they received the depositions of thirty or forty respectable gentlemen, that the terrors of the inhabitants were still further excited. It was not until they had received those depositions that they entertained the design of arresting the leaders of the multitude which was then collecting before them. A warrant was then prepared for their arrest, and put into the hands of Nadin, the constable. Mr. Hulton stated that Nadin told him that it would be impossible to execute it without the assistance of a military force. The consequence was, that he ordered a military force to approach the house where the magistrates was sitting. The Manchester yeomanry were the first troops that came, and they drew up under Mr. Buxton's windows. Mr. Hulton stated that he never gave them orders to ride into the meeting and attack the multitude. He (Mr. Scarlett) was not able to give any satisfactory information to the house how it happened that the yeomanry did ride into that meeting. He had however been given to understand that they had done so upon the representation of one of the constables. Mr. Hulton declared that he knew nothing at all of their advance until he saw them engaged pell-mell with the multitude. They must have advanced, as it appeared to him (Mr. Scarlett) with considerable alacrity; inasmuch as they rode over one of their own constables in their course. When they had arrived at the hustings, Mr. Hulton thought, from their appearance, that the multitude had obtained an advantage over them. At the very moment that Mr. Hulton was labouring under this impression, Colonel L'Estrange came up with a body of cavalry to Mr. Buxton's, and formed them in the same place in which the Manchester yeomanry had been formed. Colonel L'Estrange then said to Mr. Hulton, who was standing at the window—"What orders have you for us?" Mr. Hulton then answered, "Good God! Sir, how can you ask such a question? Do you not see that they are defeating the yeomanry?" Colonel L'Estrange took that answer as in point of fact it was, for an order that he should advance to the rescue of the yeomanry. That statement, it was necessary for him to premise, was the statement of Mr. Hulton. He should now beg leave to trouble the house with his own opinion of what were the real facts of the case. If gentlemen would take the trouble of looking at the trial, they would find that two reporters were examined at it—one of the name of Orton—the other of the name of Tyas—both young men of education and of considerable talent. The former was called in behalf of the prosecution, and the latter in behalf of the de-

fence; but the evidence of both he conceived to be important to the prosecution. Mr. Tyas upon his examination proved on oath all that he had previously written; and it was only fair to state that his account was corroborated in all its leading facts by the evidence of both parties. It appeared, then, from Mr. Tyas's statement, that the Manchester yeomanry had rode into the multitude, for the purpose of arresting the individuals who were the leaders of it. When they had ridden up to the hustings, they formed round them, and the officer of the cavalry went up to Mr. Hunt and said to him, "Sir, I have a warrant against you, and arrest you as my prisoner," or, in other words, called upon him to surrender. Mr. Hunt then said that he would surrender himself to any civil officer who would show him his warrant. After that, Nadin came up and said that he would arrest him, as he had got information upon oath against him; upon which Mr. Hunt surrendered. A person of the name of Saxton was standing in the cart. Two of the yeomanry rode up to him. "There," said one of them, "is that rogue Saxton—do you run him through the body." "No," replied the other, "I had rather not—I leave it to you." The man immediately made a blow at Saxton, and it was only by his slipping aside that the blow missed him. After that had happened Mr. Tyas said that something like a cry of "Look at their flags—have at their banners," was raised by the yeomanry, and that then they dashed at the flags which were on the hustings. That was the moment at which Mr. Hulton observed them riding into the crowd, and conceived them to be in danger. Had the yeomanry stopped after they had taken the flags, he was disposed to think that no great mischief would have been done; but instead of doing so, they then began to attack the multitude. This he believed to be the real state of the facts; and it was only due to candour and justice to say, that according to this account of the transaction no censure could justly attach to the magistrates. (*cheers.*) If they had acted under a sense of duty created by an impression of alarm, their error was venial. The house ought to judge of the conduct of the magistrates, not by the considerations which suggested themselves after the event, but by the considerations which suggested themselves to their minds at the moment. They ought to judge of them by the feelings which must have been foremost on the minds of the magistrates at the instant, and by the apprehensions which they had reason to suppose existed in the minds of the inhabitants of Manchester. A meeting so numerous as that was, naturally excited fears in their minds; and they might naturally think that the best mode of getting rid of those fears would be by arresting the leaders of the multitude before the multitude had become warned by their seditious harangues. If the act were to do over again, he should certainly advise the magistrates, under all the circumstances of the case, not to do it; but it would be hard to say that they ought now to be censured for having done it. (*cheers.*) The learned gentleman then proceeded to state his opinion, that the most unfit body to disperse that meeting was that respectable body—for so he must still call them—the yeomanry of Manchester. That town, in point of population, was the second in England, and was as much attached to the government as any town in the Kingdom. The lower classes in that town and the neighbourhood did not agree in political opinion with the great mass of the richer inhabitants: indeed a bitter spirit of hostility existed between them. The yeomanry of Manchester who did not consist of farmers as in other parts of the country, but of individuals engaged in various branches of trade, felt considerable resentment and indignation against those who advocated the principles of reform, which they themselves conceived to be destructive of, instead of necessary to, the constitution. On that fatal day, the 16th August, their feelings were embittered by the circumstances which had attended a former meeting, and received still further aggravation from the resentment which they felt at the attempt made, as they conceived, to dictate to the town, through the means of an immense multitude, by a person totally unconnected with it. The multitude, however, ought not to have been dispersed at all in the manner it was dispersed. The yeomanry had no right to act at all without the authority of the magistracy. They might think it to be their duty to ride into the multitude without orders; but in his opinion it was clearly a misconception of duty. The learned gentleman then remarked, that in the course of the trial it had become important to discover whether any attempt had been made to serve the warrant without the assistance of the military. The learned judge asked again and again whether any application, either personal or by proclamation, was made to the crowd to get out of the way in order that a warrant might be served by the civil power; and the answer which he invariably received was "No." (*loud cheers from the Opposition.*) When the constables advanced, they were met, some said, by cheers of welcome; others, by cheers of defiance. The cheers, perhaps, were a mixture of both. "Why should they not cheer?" said the learned judge. "Is any counsel bold enough to say that they had not a right to resist if a parcel of soldiers rode in upon them without a warrant?" (*loud cheering.*) He must confess that he was not the counsel bold enough to say so; on the contrary, he said that they had a right to resist, if they were rode in upon without a warrant. (*cheers from the Opposition.*) Until the moment that Hunt asked for the warrant and Nadin produced it, they had no right to disperse the meeting. The reasons which he had stated he conceived to be such as called upon the

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house to institute an inquiry; but besides them there was another reason not less cogent, namely, the necessity of preventing the recurrence of a similar scene upon any future occasion. The learned gentleman then said, in referring to Lord Sidmouth's famous letter of thanks to the magistrates, that it shewed unfit precipitation on the part of government, and frankly confessed that, viewing it as he did, totally divested of all party feeling, he conceived it calculated to produce the most universal irritation in the country. His honorable friend, the member for Westminster, had been prosecuted for the letter which he wrote regarding it, on the ground that his letter was calculated to prejudice the trial then pending. Might not the letter of Lord Sidmouth have been prosecuted upon exactly the same grounds, returning, as it did, most unqualified thanks to the magistrates within two days after intelligence had been received of a transaction, of which, according to the noble lord, the very recital made the heart bleed? (*loud cheers*) He thought that every magistrate in the county of Lancaster, and that even the gentlemen of the grand jury itself must have been influenced by that letter, as the thanks which it contained rendered the question completely a ministerial one. (*cheers*.) Mr. Scarlett, after some further observations on the same subject, in order to show the political hostility which existed at Manchester about the 16th of August, alluded to a fact which occurred on the cross-examination of Murray, one of the witnesses examined at York. The witness was asked whether he had ever said that "rather than see reformers triumph, he would prefer to walk up to his knees in their blood." He refused giving a direct answer to the question; but he said upon oath that he would not believe any reformer upon his oath. (*hear, hear*.) A similar feeling might have existed in the breast of some members of the grand jury, and might have led them to reject bills which were presented to them upon the oaths of reformers. (*hear, hear, hear, and cries of no*.) It was said by gentlemen on the other side, that no attempt had been made to bring this question to trial before the usual tribunals of the country. Surely those gentlemen had forgotten that bills of indictment had been offered to grand juries, but rejected, and informations asked for against magistrates, but refused. But then it was said that no action had been brought to recover damages for the injuries which had been sustained; and that that was one way of trying this great constitutional question. If it was, it was information to him, for he did not see how a question of that importance could be settled by a civil action. (*cheers*.) How could an old woman of 82, for instance, bring an action of damages for a wound which she had received from a yeoman whose person she could not recognize! (*cheers*.) On a former occasion when this question had been discussed in the house, it had been said—"whilst a prosecution is depending the house must not interfere." On that occasion he had said, that he knew of no question then before the courts, which would bring to trial the conduct of the military and the magistracy to the people. The trial at York had proved that he was correct. That argument therefore, such as it was, could now no longer be used. The question then was reduced to this point—was the time too late for the house to interfere? Did the noble lord mean to say that if the constitution were violated, time should make the people of England sleep over the injury which they had received? He should indeed think ill of the people of England, he should indeed consider them unworthy of the liberty which they enjoyed, if a short year and a half could make them forget those wrongs which, according to the noble lord, made the heart of those who had only read them bleed to the inmost core. (*loud cheering*.)

The ATTORNEY-GENERAL said, that the speech of his honorable friend, made as it was in the utmost spirit of candour, would have proved to him, if other proof had been wanting, the necessity of giving a negative to the present motion. It released two parties—the magistrates and the ministers from the blame which the honorable member for Westminster had so lavishly cast upon them. (*no, no, from Sir F. Burdett*.) His hon. friend, the member for Nottingham (Mr. Denman) who had attributed to the government the instigation of what he called these atrocities, had received from his hon. and learned friend a complete contradiction on that point; and independently of the letter of Mr. Norris on the evening before the meeting, and the declaration of Mr. Hulton on the trial, his learned friend (Mr. Scarlett) had proved that the magistrates were not entitled to take any share of the blame imputed to them. (*cheers*.) The question then became reduced to this point:—whether they should institute an inquiry at the bar of the house into the conduct of the yeomanry? He was of opinion that they ought not, as the question might be discussed before the ordinary tribunals. He was quite surprised to hear his learned friend state that great constitutional questions could not be tried by action. Did his learned friend recollect how the questions of ship-money, and of general warrants, were decided? They were decided by action at law? (*cheers*.) He was likewise surprised at another position of his learned friend, who had almost asserted that, to have bills thrown out by grand juries and coroner's inquests not bringing in a verdict of murder, were presumptions of guilt against the parties accused? When his learned friend accused Lord Sidmouth of precipitation and prejudging, he must have forgotten how much the question had been prejudged on the other side, at the Yorkshire and similar county

meetings. (*no, no, from Lord Milton*). He must maintain that it had been prejudged, in spite of the denial of the noble lord. The resolutions passed at York conveyed a meaning, that, in the opinion of that meeting, the meeting at Manchester was a legal assembly. (*cries of read, read, from Lord Milton*.) He would oblige the noble lord; he would read them. The second resolution stated "that it is a direct violation of law, and an alarming invasion of the rights of the people, to disperse by violence." (*loud cheering from the Opposition*.) If gentlemen would defer their cheers until they heard the whole of the resolution, they would do better—"to disperse by violence, and still more by the employment of a military force, a meeting legally assembled and peaceably held for such purposes." (*cheers from the Ministerial side*.) Did not this resolution distinctly state that the meeting at Manchester was legally assembled and peaceably held; (*cheers*.) But what said the third resolution? It was still more explicit. It was to the following effect:

"That we have learned with unfeigned concern that a meeting held at Manchester on 16th August last, avowedly for such purposes, at which it has not hitherto appeared that any illegal act had been committed, or that previous proclamation to disperse had been made according to law, was suddenly attacked and dispersed by a military force, whereby the lives of a great number of his Majesty's subjects were endangered, many of them wounded, and some killed." (*loud cheers from both sides of the house*.) This resolution, connected with the former one, clearly made out his assertion—"Was assembled for such purposes!" For what purposes? This could mean nothing else than that the meeting at Manchester was legal. A jury, however, in that very county where these resolutions were passed, after a full investigation of the case, came to a very different conclusion; and after that conclusion, he thought that he had a right to state that the magistrates had a right to issue their warrant to arrest the leaders of that illegal assembly. He would ask the hon. baronet, what useful result his inquiry would lead to, supposing the house to be of opinion that the conduct of the yeomanry was improper. The inquiry must still end in the ordinary courts of justice, for all that the house could do would be to order whatever gentleman held his situation to institute proceedings against the yeomanry. (*hear hear*.) One word as to the exaggerations which had been complained of. The hon. baronet had said that the facts on which his (the ministerial) side of the house relied had been disproved by the evidence at York. He maintained that they had not; but even supposing that they had, was it fair to characterize the proceedings of the 16th of August as a murder and a massacre? As far as any investigation had been made into the subject, they had been found not to be murder; and he would ask, where was that candour on which honorable gentlemen so much prided themselves, when they stigmatized with such epithets the actions of those men whom they wished to put upon their trial? (*loud cheers from the Ministerial side*.)

Mr. SCARLETT and Mr. WILBRAHAM explained.

Mr. S. WORTLEY admitted that in resolutions of the meeting at York, the question of the legality of the assembly at Manchester on the 16th of August was not prejudged, because particular words were inserted in them qualifying the opinion and limiting the object of the people on that occasion. He felt also called upon to say that his hon. friends opposed to him at the meeting at York, also, had not in their speeches prejudged that point of law: they had not contended that the meeting was legal, but the transactions required investigation. He had always thought that the facts could never be properly and satisfactorily investigated in parliament; but if he had been of that opinion formerly, he had been more than ever confirmed in it by the speech of the hon. and learned gentleman (Mr. Scarlett) from which it was apparent that the injured parties could only have a full and complete remedy in a court of law. That learned gent. acquitted the magistrates; and if the troops advanced without authority, or if they were not called upon by the civil power to interfere, he (Mr. S. Wortley) had always understood that the military officer directing the advance, and commanding the troops, was amenable to a court of law for any injury done by the men under his orders. (*hear, hear*.) The very circumstance of their having avoided seeking this redress showed decisively that the complainants had no case against the military.

Lord MILTON rose amid cries of "question, spoke, hear." He observed, that after what had just been said by the honorable member for Yorkshire, it was unnecessary for him to offer more than one remark and that was, that the house would be able sufficiently to appreciate the worth of his evidence as contradistinguished from that of the Attorney General. (*His lordship sat down, but again rose to explain what he meant by the word evidence; but we could not catch the explanation*.)

Sir F. BURDETT was then generally called upon to reply. He began by observing upon the pertinacious ingenuity with which the other side had contrived to shut their eyes to the real question at issue. The speech of the noble lord had been nothing more nor less than an accusation of the people of England; yet the point he had

endeavoured to establish was, that the parties in this proceeding were the persons injured at Manchester, and the military that had fallen upon them. In truth, however, the question was between the people of England and the ministry or government: it was the people of England who demanded inquiry, and the government who resisted it. The real treason to which the noble lord had alluded was the anxious and general wish of the nation to reform the parliament: and it was because the meeting at Manchester and others all over the country at that time, had this great and laudable object in view, that it had excited the terrors of some and the animosity and hostility of others. Ministers were deeply implicated in this unhappy transaction: as yet nothing but garbled documents had been furnished by them; and if it were true, as the King had ungraciously told the Citizens of London, that they could know nothing of what had previously passed between his servants and the magistrates, it was because all full and satisfactory information was refused, and the instructions given to the magistrates, and upon which they acted, were cautiously withheld, (*hear, hear.*) With regard to the lateness of the period at which the motion was brought forward, he perhaps might be to blame, but still time enough had only elapsed to strip the subject of all the false colouring that was attempted to be given to it—of all the inventions and fabrications with which truth had been smothered, and of all the gross exaggerations of the noble lord and others, and for which that noble lord had not thought it necessary to apologize. The hon. bart. went on to contend that the verdict at York did not and could not determine the point of law as to the legality of the meeting: it only found that Mr. Hunt was guilty of attending a meeting, the object of which was to bring into hatred and contempt the government as by law established. For that offence Mr. Hunt had been sentenced to a punishment more than commensurate to the charges, if they had every one of them been proved. (*hear.*) The Attorney General, as men usually did when under the influence of violent passion, had recommended him (Sir F. Burdett) to be cool: he did not know that he had betrayed any great degree of heat during the debate; but if he had done so, he should have thought it most excusable on a question of this kind, where the very liberties of the country were at stake. After casting some ridicule upon the affidavits produced by the honorable member for Dover, the honorable baronet proceeded to make a remark or two on what had fallen from another honorable member (Mr. Wilmot), who, he said, was for extended justice but restricted inquiry.

Mr. WILMOT spoke to order. He had already explained what he meant, and he thought it improper for the honorable baronet to impute opinions to him which he had stated he had never expressed.

Sir F. BURDETT continued, that it was not his intention to attribute any thing to the hon. gentleman which he had not said. The noble lord (Londonderry) had used one expression that was not a little remarkable; he had said that he could rely upon the present construction of the House of Commons. (*hear, hear.*) No man would dispute his lordship's intimate acquaintance with the formation of the house: he was a witness, *omni exceptione major*, on that subject; for he had no doubt studied its construction with the painful skill of an anatomist: he was, besides, well qualified to judge of the construction of the House of Commons of England by his knowledge of that of Ireland. (*hear, hear.*) He was well aware of the value of its present construction for his own purposes; and that the house was worthy of his lordship, and his lordship of the house, he (Sir F. Burdett) would be the last man in the world to deny, (*much cheering and laughter*); they enjoyed a mutual good opinion of each other, and though they might be congratulated upon their resemblance and their union it could be no subject of congratulation with the people. (*hear, hear.*) But, convinced as he (Sir F. Burdett) was of the pernicious influence of the House of Commons as at present constructed, upon the rights and liberties of England, he did not wonder that the people. (*the hon. bart. was here interrupted by loud cries of order, order, chair.*)

The SPEAKER, as soon as silence could be obtained, said that he was confident that the hon. bart. would be sensible of the impropriety of the words he had just used in the warmth of his sentence.

Sir F. BURDETT professed himself ready to submit to whatever the Speaker might judge correct in the course of debate. (*hear, hear.*) He was about to add, that the real question at issue was, whether in future the people of England should be allowed to exercise their undoubted and unalienable right of meeting in any manner and in any numbers, for any lawful purpose; or whether the intestine war, which the noble Secretary at War had said had been carried on against them for the last five years, was still to be continued. He was convinced that the people were in no way hostile to their institutions; but they thought themselves entitled to the constitution, and to all those rights which the constitution gave them; above all to, that great right of free election of their representatives for the protection of their interests and property. This was the whole object of the meeting at Manchester? yet it was there that more than 600 men, women, and children, had been killed, wounded, or maimed; and yet it was into this horrible transaction that ministers re-

fused inquiry. As to the proceedings of the grand jury at Lancaster, he intended to cast no imputations; but he must say that it was utterly incomprehensible to him upon what ground the bills were rejected by them, recollecting that all the facts were beyond the possibility of dispute. Then they came before the Coroner, there last, not least, it seemed, according to the assertion of the noble lord opposite, that some tricks were played. What were those tricks? The number of witnesses who pressed forward to give evidence—of that the Coroner should have judged. It was however known that the inquiry before the Coroner had gone so far, that the jury had made up their minds upon the verdict which they meant to give; but their intentions were defeated by the conduct of the Coroner himself. (*hear.*) He would ask the house how it could, after this, be said that the people had not made every accessible application in the usual course for justice? In each attempt the people had failed—their successive applications had been refused. His reason therefore for pressing this question was, that the public mind was not satisfied, nor would it be satisfied until an inquiry had taken place into these transactions. While he had a seat in the house he would press for this inquiry. If the King's ministers would now say that they would take up the inquiry, and report to the house upon it, then he would rest satisfied; but if that were not done, then he had only to add that the people would never rest satisfied until some satisfaction were had for, or inquiry made into, these calamitous transactions. (*hear.*)

Strangers were then ordered to withdraw, and the house divided when the numbers were—

For the motion, 111 | Against it, 235 | Majority against it, 124

Portugal.

Sitting of the Cortes, Saturday, March 21, 1821.

In the discussion of the project of a decree for appropriating the estates (of the Church) to the payment of the public debt, a very long debate arose on the fourth Article, which ordains, that the revenues of the offices, benefices, dignities, &c., of the patriarchal church, be applied to the payment of the debt, the amount of which revenue ought to be reduced to the half of what it now is, provided such half do not amount to less than 300,000 reas (£50 7s. 6d.) [probably some mistake.]

M. Borges Carneiro made a long speech against this establishment, which cost annually above 200 millions of reas, (£36,250) which Catholic nations, far more powerful than Portugal, have not introduced; that Portugal had been going to decay ever since it was established; that the luxury of the Clergy in this city was scandalous, compared with the simplicity of the Apostles; that it was founded solely to provide for the second sons of the Nobility, who had no mind to work. That this Corporation formed a Court, the head of which was disposed to contradict all the orders of Government, and opposed every thing that was now doing for the good of the country: that on the most solemn day, on which the united nation had sworn to the bases of the Constitution, and thanked the Almighty for its just and wise reform, he (the Cardinal Patriarch) declared himself hostile to those bases; that when this high authority aimed to such an excess; when he considered his vanity, and the difficulty of maintaining, under present circumstances, the pomp and the expense of such an establishment, he thought the proposed reform extremely just.

M. Sarmorito agreed with M. B. Carneiro, and drew a frightful picture of the misery in which the people were plunged, while tithes were extorted from them to come to Lisbon! From the institution of the Patriarchate, said the orator, we may date the ruin and the decline of Portugal.

The speech of M. Carneiro had inflamed the minds of some Members; and M. Moura called the attention of the Assembly to the conduct of a man who pretends to oppose the will of three millions; that this opposition seemed contrary to the acknowledged sovereignty of the nation; that it ought to be seen whether this was a crime or not; and that a tribunal should be formed to try this man. The debate on this subject was continued to a great length, both in this sitting and that of the 12th of April, of which the following was the result:—

The President put these questions:—Whether a decree should be drawn up, declaring that every authority or individual refusing to swear to the basis of the Constitution, ceases to be a Portuguese Citizen? Decided in the affirmative by eighty-eight votes to one.—Whether the individual, who ceases to be a citizen, ought to leave the kingdom? Carried by 84 votes to 5.

The Committee of the Constitution then went out to draw up the Decree; and, returning with it, M. Pereira de Carmo read it in the following terms:—

The General Extraordinary Constitutional Cortes of the Portuguese nation, considering that he alone is member of a society, who is disposed to submit to the fundamental law of that society, declares, that every Portuguese who refuses to take the oath simply, without any restriction whatever, to the Constitution and to the bases of it, ceases to be a citizen, and is immediately to quit the Portuguese territory. This was unanimously approved.

ASIATIC DEPARTMENT.

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Civil Appointments.

TERRITORIAL DEPARTMENT, AUGUST 17, 1821.

Mr. H. Batson, Collector of Etawah.
Mr. A. N. Forde, Collector of Moradabad.
Mr. R. J. Taylor, Assistant to the Collector of Jounpore.

Military.

General Orders, by His Excellency the Most Noble the Governor General in Council.

FORT WILLIAM, SEPTEMBER 1, 1821.

The appointment of Assistant Surgeon Jonathan Fallowfield, in General Orders of the 16th October 1819, to perform the Medical duties of the Civil Station of Ally Ghur, vice Assistant Surgeon Joseph Adams, is to be considered as having had effect from the 10th February 1820, the date of sailing of the Ship on which the latter embarked for Europe.

FORT WILLIAM, SEPTEMBER 8, 1821.

The Commissary General having submitted to Government, a Correspondence in Original, with other Documents connected therewith, respecting the Conduct of Sub-Conductor Thomas Watkins, of the Commissariat Department; while lately proceeding up the River on duty, which has fully satisfied the Most Noble the Governor General in Council, that the said Sub-Conductor, under false pretexts, and in direct opposition to the Orders of his Superiors, conveyed a supply of Liquors in his boat, with a view to vend the same to the European Soldier of the Detachment to which he was attached, or to those at the several intermediate Military Stations, in his progress to the Upper Provinces; His Lordship in Council directs, that the Warrant of Sub-Conductor Watkins be cancelled, and that he be placed at the disposal of His Excellency the Commander in Chief, in the rank he held when entering the Commissariat Department.

The conduct of Conductor Hyde, of the Ordnance Commissariat Establishment, belonging to the Dinapore Magazine, in attempting to screen the delinquency of Sub-Conductor Watkins, having also come under the notice of Government. His Lordship in Council considers the said Conductor to have forfeited all claim to remaining in his present Situation: his Warrant is hereby likewise cancelled, and he is placed at the disposal of the Commander in Chief, in the rank he held previously to being brought upon the Ordnance Establishment.

His Excellency the Commander in Chief will be pleased to cause the Warrants, issued to the late Conductor Hyde, and Sub-Conductor Watkins, to be returned to the Office of the Secretary to Government in the Military Department.

Mr. William Wise having furnished an Affidavit, that he is the person appointed by the Honorable the Court of Directors, to a Cadetship of Infantry on this Establishment, in their General Letter in the Military Department dated the 21st of February 1821, and published in General Orders of the 2d of July last, is admitted to the Service accordingly, from the 28th ultimo, the date on which he reported himself at the Town Major's Office in Fort William, and promoted to the rank of Ensign, leaving the date of his Commission for future adjustment.

Captain J. Dun, of the 11th Regiment Native Infantry, having furnished the prescribed Certificate from the Pay Department, is permitted to proceed to Europe on Furlough, on account of his private affairs.

Major B. Latter, Commanding the Rungpore Local Battalion, having furnished the prescribed Certificates from the Medical and Pay Departments, is permitted to proceed to Madras for the benefit of his health, and to be absent from Bengal on that account for four months.

His Lordship in Council was pleased in the Judicial Department under date the 31st ultimo, to comply with the application of Captain Davidson, Commanding the Sylhet Frontier Corps,

for six weeks leave of absence from his Station, for the purpose of proceeding on the River and eventually to the Presidency, for the re-establishment of his health.

The leave of absence granted to Lieutenant and Adjutant McMullin, of the 23d Regiment Native Infantry, in General Orders of the 30th of September 1820, is extended to the 31st ultimo.

The return of Brevet Captain Lomas, of the 12th Regiment Native Infantry, to his duty on this Establishment, is to have effect from the 11th ultimo; being the date of the wreck of the Ship *Lady Lushington*, off Pentah Cottah, on which that Officer was coming round to Bengal.

It having been brought to the knowledge of Government, through a reference from the Audit Department, that some few Officers Commanding Battalions of Native Infantry, have been in the habit, when required to furnish a Detachment of one, or even of more than one Company for Command duty; to form such Detachment by a heterogeneous draft from each of the several Companies of their Corps, by which the Head-quarters of each Company have been invariably retained present at the Head-quarters of the Battalion, the Officers detached from their own men, and a Company so formed liable to be employed on service in a state of consequent disunion and comparative inefficiency; the Most Noble the Governor General in Council strictly prohibits the continuance of a practice, so irreconcilable to every just principle of Military formation, and directs, that it never in future be had recourse to, when a Company, or a Detachment approaching to the strength of a Company, is required for Command, from a Corps of the Line.

W. CASEMENT, *Lieut. Col. Sec. to Govt. Mil. Dept.*

General Orders, by the Commander in Chief, Head-quarters, Calcutta, September 3, 1821.

At an European General Court Martial assembled at Dinapore on the 16th day of July 1821, of which Major A. Richardson of the 2d Battalion 23d Regiment Native Infantry is President, Private Adam Pyatt of His Majesty's 59th Regiment, was arraigned on the undermentioned Charge; viz.

"With having on the 8th of June 1821, used violence against Lieutenant Coventry of the same Corps, his Senior Officer, then in the execution of his Office."

Upon which Charge the Court came to the following decision. *Sentence.*—"The Court having maturely weighed and considered the evidence before them, are of opinion that the Prisoner Adam Pyatt, Private of His Majesty's 59th Regiment, is Guilty of the Crime laid to his Charge, which being in breach of the Articles of War, they do Sentence him the said Adam Pyatt, Private of His Majesty's 59th Regiment, to suffer Solitary Confinement for the space of Two Years, in such Hill Fort, or other place, as His Excellency the Most Noble the Commander in Chief shall be pleased to direct."

Approved and Confirmed, (Signed) HASTINGS.

Remarks by His Excellency the Most Noble the Commander in Chief:

The Imprisonment awarded by the above Sentence is to be understood to commence on the expiration of the term for which the Prisoner Adam Pyatt was adjudged to suffer Imprisonment by the Sentence of a former Court Martial; and the Major General Commanding the Dinapore Division will hereafter be furnished with the Commander in Chief's Instructions, through the Adjutant General of His Majesty's Forces, for carrying the same into effect.

Head-quarters, Calcutta, September 5, 1821.

Assistant Surgeon Clarkson, attached to the Civil Station of Mynpoorie, is appointed to the temporal Medical charge of the Infantry Levy at that Station, from the date of the departure of Assistant Surgeon Evans, on the leave of absence granted to him by General Orders of the 4th ultimo.

Ensigns E. J. Watson, R. L. Barnett, J. Macdonald, J. W. Colquhoun, J. H. Vaurenen, W. Strathers, and J. Gibb, (late)

arrived) and appointed to do duty with the Honorable Company's European Regiment at Ghazee-pore. Orders for their proceeding to join will be issued hereafter.

The arrangement in General Orders of the 30th ultimo, appointing Assistant Surgeon Savage, to the Medical charge of the Rungpore Local Battalion, is cancelled—that Officer will resume his Station with 2d Battalion 10th Regiment Native Infantry; and Assistant Surgeon John Henderson, who was appointed to the latter Corps, will repair to Titlaya on being relieved by Assistant Surgeon Harrison, and assume Medical charge of the Rungpore Local Battalion.

Commanding Officers of Corps are enjoined on all occasions of relief to transmit Weekly Reports of progress to the Quarter Master General of the Army, for his information.

Assistant Surgeon W. Glass, attached to the Presidency General Hospital, is directed to proceed by water to Meerut, and on his arrival at that Station, to place himself under the orders of the Superintending Surgeon.

Ensign J. Oldham, at present attached to the European Regiment, is appointed to do duty with the 2d Battalion 15th Regiment Native Infantry at Bareilly.

The undermentioned Officer has leave of absence:

2d Battalion 15th Regiment.—Ensign J. Oldham, from 1st September to 1st January 1822, in extension, to join his Corps.

Head-Quarters, Calcutta, September 6, 1821.

The following Removals and Postings to take place in the Artillery Regiments:

Lieutenant-Colonel J. Ahmuty from the 1st to the 2d Battalion, vice Mason deceased.—Lieutenant-Colonel M. W. Browne to the 1st Battalion, vice Ahmuty.—Major J. A. Biggs to the 1st Battalion, vice Browne promoted.—Captain C. P. Kennedy from the 8th Company 1st Battalion to the 3d Company 3d Battalion.—Captain J. J. Farrington to the 8th Company 1st Battalion.—Lieutenant T. Croxton from the 7th Company 4th Battalion to the 3d Company 1st Battalion.—Lieutenant C. Smith from the 5th Company 1st Battalion to the 1st Company 2d Battalion.—Lieutenant J. S. Hele from the 3d Company 3d Battalion to the 7th Company 1st Battalion.—Lieutenant H. P. Hughes from the 2d Company 1st Battalion to the 4th Company 2d Battalion.—Lieutenant J. H. Middleton from the 3d Company 1st Battalion to the 7th Company 4th Battalion.—2d-Lieutenant G. S. Lawrenson from the 2d Company 1st Battalion to the 3d Company 3d Battalion.—Lieutenant-Colonel J. Ahmuty will join the Head-Quarters of the 2d Battalion forthwith.—Major A. J. Biggs will repair to Saugor, and resume Command of the Division of Artillery at that Station.—The 2d Troop of Horse Artillery will march from Meerut on the 15th of October next, and relieve the 1st Troop at Mhow, the latter Troop on being relieved, will join the Head-Quarters of the Corps at Meerut.—Lieutenant-Colonel McLeod, C. B., Commanding the Field Artillery, will, at the same time detach from Cawnpore half a Company of Golundauze and Gun Lascars, to relieve the details now on Command at Mhow.—Major Stark will complete the 2d Troop on its marching to its full strength of Men and Horses.

The undermentioned Officers have leave of absence:

1st Battalion 19th Regiment.—Lieutenant Kerr from 26th August to 15th September, on Medical Certificate.

Garrison Staff.—Captain Hutchinson, Garrison Engineer at Delhi, from 15th October to 15th February, 1822, to visit the Presidency, on urgent private affairs.

Ramghur Battalion.—Lieutenant and Adjutant Carnegie, from 1st September to 1st October, in extension, to remain at the Presidency, on urgent private affairs.

Head-Quarters, Calcutta, September 7, 1821.

The Left Wing 2d Battalion 30th Regiment Native Infantry instead of commencing its march, for the destination assigned to it by the relief, on being relieved by a Wing of the 2d Battalion 13th Regiment Native Infantry, as laid down in General Orders of the 23d ultimo, is directed to await the arrival at Dacca, of the Right Wing and Head-Quarters of the Corps from Chittagong,

when the whole Battalion united, will proceed to their Station under the Command of Lieutenant-Colonel Greenstreet.

Lieutenant A. Carnegie, of the 11th Native Infantry, is appointed Adjutant to the 1st Battalion of the Regiment, vice Mackenzie promoted to a Company.

Lieutenant J. D. Syers of the 3d Regiment Native Infantry, is appointed Adjutant to the Ramghaur Corps, vice Carnegie.

Lieutenant M. Dromer is removed from the 1st to the 2d Battalion of the 11th Regiment.

The following removal is directed to take place in the Regiment of Artillery:

Captain J. J. Farrington from the 8th Company 1st Battalion of Artillery to the 5th Troop, Horse Brigade, vice Biggs promoted.

The leave of absence granted in General Orders of the 4th instant, to Lieutenant and Adjutant Carnegie, of the 1st Battalion 11th Regiment Native Infantry, is cancelled at that Officer's request.

Lieutenant-Colonel Croxton's appointment in Battalion Orders of the 21st ultimo, of Lieutenant Woodburn to act as Interpreter and Quarter-Master to the 2d Battalion 8th Regiment Native Infantry, during the absence on Medical Certificate of Lieutenant and Interpreter and Quarter Master Vansandau, is confirmed.

The appointment in General Orders of the 27th July last, of Sergeant Major John Earls of the 1st Battalion 3d Regiment Native Infantry, to be Barrack Serjeant at Mhow, is cancelled.

The undermentioned Officers have leave of absence:—

1st Regiment Light Cavalry.—Captain Pattle from 26th September to 25th February, 1822, in extension, on urgent private affairs.

1st Battalion 30th Regiment.—Brevet Captain Moore, from 29th September, to 29th May 1822, to visit the Presidency, on urgent private affairs

Head-quarters, Calcutta, September 8, 1821.

The unexpired portion of the leave of absence granted to 2d-Lieutenant Lawrenson of the Regiment Artillery, by General orders of the 9th July last, is cancelled at that Officer's request.

The undermentioned Officers have Leave of Absence

Baugle-pore Hill Rangers.—Ensign Sage, from 15th August, to 1st October, on Medical Certificate, to proceed on the River.

1st Battalion 10th Regiment.—Captain A. Duasmure, from 5th September to 5th November, to repair to the Sand Heads, on Medical Certificate.

Head-quarters, Calcutta, September 10, 1821.

Ensign William Wise, whose admission to the service and promotion to Ensign is announced in Government General Orders of the 8th instant, is appointed to do duty with the Honorable Company's European Regiment.

The leave of absence granted to Sub-Assistant Commissary General Macrae in General Orders of the 26th July last, is cancelled at his own request.

Ensign J. H. Vanrenen, attached to the European Regiment, is appointed to do duty with the 2d Battalion 15th Regiment Native Infantry, at Bareilly, and directed to proceed by water and join with all convenient expedition.

The undermentioned officers have leave of absence.

2d Battalion 30th Regiment.—Captain Tod, from 1st October, to 1st December, to visit the Presidency, on private affairs.

1st Battalion 4th Regiment.—Captain Field, from 15th October, to 15th March 1822, to visit the Presidency, preparatory to an application for Furlough to Europe.

1st Battalion 9th Regiment.—Lieutenant Vincent, from 15th September, to 15th December, in extension, preparatory to an application for Furlough

W. G. PATRICKSON, Offg. Dept. Adj. Genl. of the Army.

Dum-Dum.

We have scarcely room for half a dozen lines on the Play at Dum-Dum, and can therefore only say that the House was crowded beyond all precedent, and the audience generally pleased with the Performance. If we can command space to-morrow, we may enter more into detail.